

STATE OF SOUTH CAROLINA

South Carolina Department of Transportation

**Outdoor Advertising
Nonconforming Sign Upgrade “Pilot” Project**

March 12, 2009

Keith C. Melvin
Director of Outdoor Advertising
South Carolina Department of Transportation
955 Park Street
Columbia, SC 29202
(803) 737-1339
MelvinKC@scdot.org



TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
1. Description of the Potential Change in Federal Law	3
2. Specifications That Would Require a Waiver Under 23 U. S. C. 502	5
3. Description of Project	6
4. Scope	10
5. Expected Effects of the Pilot	12
6. Minimum Standards	15
7. Public Involvement	19
8. NEPA Documentation	20
9. Exhibit #1 - Detail of Structures	
A. Details of Removed Structures, 672 sq ft or larger	21
B. Details of Removed Structures, 300 sq ft	22
C. Details of Upgraded Signs-No lighting, 672 sq ft or larger	23
D. Details of upgraded Signs-No Lighting, 350 sq ft but less than 672 sq ft	24
E. Details for Upgraded signs- With Lighting, 672 sq ft or larger with lighting on upgraded structure	25
F. Details for Upgraded signs- With Lighting, 350 sq ft but larger than 672 sq ft on upgraded structure	26
10. Exhibit #2 – National Highway System Maps	27
11. Exhibit #3 – Two for One Outdoor Advertising Nonconforming Sign Upgrade Agreement Form	42
12. Exhibit #4 – Pictures of Nonconforming Wooden Structures	47
13. Exhibit #5 – SCDOT Letter to Sign Owners	51
14. Exhibit #6 – South Carolina Outdoor Advertising Association Letter of Endorsement	52
15. Exhibit #7 – Council of Governments Endorsement Letters	
A. Upper Savannah Council of Governments	53
B. Santee-Lynches Regional Council of Governments	55
C. Pee Dee Regional Council of Governments	57
D. Lowcountry Council of Governments	59
E. Central Midlands Council of Governments	61
F. Appalachian Council of Governments	62
16. Exhibit #8 – Civic Endorsement Letters	
A. Garden Club of South Carolina	66
B. Sierra Club of South Carolina	68
17. Exhibit #9– Categorical Exclusion	69
18. Exhibit #10 – Public Hearing Notice	71
19. Exhibit #11 – Issues / Concerns of Stakeholders <i>(Noted in Certification of Public Hearing)</i>	72

1. A DESCRIPTION OF THE POTENTIAL CHANGE IN FEDERAL LAW OR REGULATIONS THAT THE PILOT IS INTENDED TO TEST.

A. South Carolina Department of Transportation (hereinafter “SCDOT”) proposes to implement a pilot project (hereinafter “Pilot”), with the approval of the Federal Highway Administration (hereinafter “FHWA”), for the upgrade of certain nonconforming signs along two (2) major interstate highways in South Carolina: I-95 and I-26. The Pilot involves a change in the sign appearance by upgrading the existing sign structure material. A pre-requisite to any upgrade is the removal of two (2) or more qualified, nonconforming signs at the expense of the sign owner. The nonconforming signs subject to this removal provision will be signs located on the National Highway System (NHS) routes, but shall meet certain size requirements to qualify for removal.

B. Under current federal regulations, reasonable repair and maintenance of a nonconforming sign is permitted. Specifically, 23 Code of Federal Regulations (CFR) 750.707(d) (d)(5) provides:

Maintenance and continuance [of nonconforming signs]. The sign must remain substantially the same as it was on the effective date of the State law or regulations. Reasonable repair and maintenance of the sign, including a change of advertising message, is not a change that would terminate nonconforming rights. Each State shall develop its own criteria to determine when customary maintenance ceases and a substantial change has occurred which would terminate nonconforming rights.

C. The intent of the federal regulation was to allow sign companies to make reasonable repair and maintenance of the nonconforming signs to ensure that they remain safe for the traveling public, while keeping them substantially the same as they were on the date they become nonconforming. Such federal provision was designed to induce removal of nonconforming signs through a “wearing out or phasing out” process.¹ The federal regulation provides that “each state” shall develop criteria for determining maintenance standards. Such maintenance criteria is subject to review by the FHWA to ensure effective control under the Highway Beautification Act of 1965, 23 USC 131, as amended (HBA).

D. The FHWA has approved South Carolina's reasonable repair and maintenance provision for nonconforming signs. These provisions allow the sign owner to perform certain repairs on the sign. Such repairs include replacement of nuts, bolts, additional nailing, riveting or welding. While such repairs may be necessary to ensure that the signs remain safe for the traveling public, the secondary result is that, over time, the repairs gradually fortify the sign structure material. These repairs potentially create a longer-lasting structure, and degrade the intent of federal law in “phasing out” nonconforming signs. Over time, such gradual fortification potentially lengthens the life of the device. The end result is a sign, substantially the same as the date of its nonconformance, but re-fortified by continued maintenance standards. The nonconforming sign has the potential, under this maintenance cycle, to remain in perpetuity, thereby defeating the HBA's “phase out” process.

E. The fortification issues created by the reasonable repairs to nonconforming signs is not acknowledged by current federal regulations. The Pilot envisions changing federal regulation to acknowledge that nonconforming signs are not removed under the “phased out” process. Such potential change would require revising 23 CFR 750.707(d)(5) in its entirety, specifically the

¹ Congressional Record, March 29, 2007, S4140: “The whole idea in 1965 was when the billboards wore out, or an act of God destroyed them, they were gone. We have been waiting 40 years for that to happen.” Comments made by Senator Lamar Alexander, US Senate, Washington DC

requirement that nonconforming signs “remain substantially the same”. In lieu thereof, would be the requirement that nonconforming signs can be upgraded once during the duration of the Pilot, provided that: (1) their status as nonconforming is not altered; (2) the requirement that two (2) or more pre-approved nonconforming signs on NHS routes are removed, at the expense of the sign owner, prior to any upgrade; (3) meet certain size requirements, (4) the upgraded signs may not exceed the height of 30 feet above ground level HAGL (Height Above Ground Level) (HAGL is defined as the height above ground level measured in feet from the center of the travel way to the lowest edge of sign face. Such components as apron and platforms are not considered when measuring HAGL), and (5) the just compensation value of the upgraded nonconforming sign is calculated based on its pre-upgraded sign materials and leasehold values, if any, as established by an approved appraiser and agreed to by the parties.

F. The HBA was predicated on protecting the public investment in the NHS, to promote the safety and recreational value of public travel, and to preserve natural beauty. The Pilot supports and promotes this purpose. Through the Pilot, the upgraded signs potentially reduce number of multiple-poled, wooden, over-sized, over-height, or I-beam sign structures on the interstates. The result is the uniformity of sign appearance along the interstate and more attractive looking signs for the traveling public. The upgrade and uniformity in appearance benefits civic and governmental entities by enhancing the gateways to their local communities, while promoting the removal of nonconforming signs on NHS routes.

G. It is not the intent of the Pilot to change or affect the general requirements of the HBA for effective control on size, lighting, and spacing, or valuation of nonconforming signs. Rather, the intended effect [revising 23 CFR 750.707(d)(5)] pertains to the maintenance standards for nonconforming signs. The proposed change in the federal regulation still allows for the objectives of the HBA to be met. The Pilot provides: (1) compliance with the intent of the HBA in protecting the public investment and preserving natural beauty; (2) better “phase out” process through the elimination of two (2) or more qualified and approved nonconforming signs in exchange for one upgraded, pre-approved interstate sign; and (3) potential uniformity in size and appearance of nonconforming signs which enhances local governments, civic and scenic groups concerns on the NHS.

H. Although the Pilot changes the maintenance standards of nonconforming signs, the sign status as nonconforming is not affected nor is the provision of 23 CFR 750.707(d)(6) impacted, which provides that nonconforming signs remain subject to provisions involving destruction, abandonment, or discontinuation. SCDOT’s review of and procedures regarding nonconforming signs that become destroyed, partially destroyed, vandalized or abandoned are not affected by this Pilot.

I. The potential change to the federal regulation would also reduce state overhead involved in monitoring routine repair and maintenance of nonconforming signs. This would alleviate the need to verify if a sign company’s repairs were limited to replacing nuts, bolts, additional nailing, riveting or welding, cleaning and painting.

2. SPECIFICATION OF EACH PROVISION OF THE FEDERAL LAWS, REGULATIONS, AND APPLICABLE FEDERAL-STATE AGREEMENT (S) THAT WOULD REQUIRE A WAIVER UNDER 23 U. S. C. 502 IN ORDER FOR THE PILOT TO TAKE PLACE.

A. The Pilot falls within the category of 23 USC 502 for purposes of research, development and technology transfer activities. A Pilot under Section 502 provides a testing opportunity for outcomes from possible statutory and/or regulatory changes. This experimental authority extends only to statutory, regulatory and policy provisions under Title 23 of the United States Code. The Pilot contemplates a different treatment in the maintenance and repair of nonconforming signs, which has national implications since most states have nonconforming signs in their Outdoor Advertising Control (OAC) inventory.

B. The following federal regulation would require a waiver under 23 USC 502: 23 CFR 750.707(d)(5) – Maintenance and continuance [of nonconforming signs]. The sign must remain substantially the same as it was on the effective date of the State law or regulations. Reasonable repair and maintenance of the sign, including a change of advertising message, is not a change that would terminate nonconforming rights. Each State shall develop its own criteria to determine when customary maintenance ceases and a substantial change has occurred which would terminate nonconforming rights.

C. 23 CFR 750.707(d)(5) requires that a nonconforming sign “remain substantially the same as it was on the effective date of the State law or regulation, ” and requires “each state” to develop criteria to define repair and maintenance standards. The intent is to limit maintenance on nonconforming signs to induce removal of nonconforming signs by a “phase out” process.

D. The desired waiver will allow selected, preapproved nonconforming signs to be substantially changed in contravention to existing 23 CFR 750.707(d)(5). There would be no change in 23 USC 131 or the Federal-State Agreement. There is no impact on effective control as it governs: (1) lighting, (2) spacing, (3) valuation of nonconforming signs, and (4) nonconforming status of the upgraded pre-approved signs. The proposed change in federal regulation may affect the size of an upgraded nonconforming sign; however, the upgraded change in size will be consistent with legal requirement under state law and the Federal/State Agreement.

E. Federal funding under 23 USC 502 is not required under this Pilot. SCDOT will charge an application fee for the Pilot in the amount of \$200.00 and a \$100.00 annual renewal fee to cover any administrative costs associated with the Pilot. There are no other anticipated costs. Compliance with the Pilot will be performed under routine inventory reviews by SCDOT’s District OAC Coordinators.

3. A DETAILED DESCRIPTION OF HOW THE PILOT WOULD WORK, INCLUDING ANY SPECIAL SAFEGUARDS AND THE SCDOT'S PROPOSED MONITORING AND MEASUREMENT OF IMPACTS. AN ANALYSIS OF POTENTIAL INCREASE OR DECREASE IN ADMINISTRATIVE BURDEN TO THE STATE SHOULD BE ONE OF THE IMPACTS MEASURED BY THE STATE.

A. The Pilot involves a partnership by and between SCDOT and FHWA to reduce the number of nonconforming signs adjacent to interstate highways and NHS highways in South Carolina. In order to accomplish the Pilot, SCDOT will allow the sign owner the opportunity, through an application process, to upgrade one (1) selected, pre-approved nonconforming sign on the interstate highway system of I-26 and/or I-95 in exchange for the removal of two (2) to four (4) signs at the expense of the sign owner. (Number of signs to be removed is based on the size of the original sign which is to be upgraded, refer to charts – Exhibit # 1-A, 1-B, 1-C, 1-D, 1-E, and 1-F). Removal includes removing all material including the foundation. In order to qualify for removal, the nonconforming signs shall be (1) from an NHS route, and (2) meet certain size requirements. Attached to this proposal is a map of the interstate I-26 and I-95 and the NHS routes within the Pilot area where non-conforming signs may be removed (See Exhibit # 2). Adjacent areas qualifying for removed nonconforming signs may also include routes which are designated as scenic byways, provided the byway is part of the federal aid primary system as of June 1, 1991.

B. For purposes of the Pilot, “upgrade” is defined as: (1) changing wooden or I-beam support poles and replacing them with a steel monopole at the same location as the existing upgraded structure; and (2) changing the sign face to 672 square feet in each qualifying direction without the use of extensions or cutouts. No cutouts or extensions are allowed on upgraded signs. Upgrade shall not be modified into stacked units or side by side units. No illumination will be allowed on non-illuminated signs. The original nonconforming sign at the location of the upgraded nonconforming advertising sign will not be considered as a removed sign for the purpose of this pilot project. Upgraded nonconforming advertising signs can not be moved.

C. For purposes of the Pilot, “nonconforming sign” is defined pursuant to regulation 63-342(P), as one which was lawfully erected, but which does not comply with the provisions of State law or State regulations passed at a later date or which later fails to comply with State law and State regulations due to changed conditions. Illegally erected or maintained signs are not nonconforming signs and are excluded from this Pilot.

D. The Pilot will have a term of three (3) years and the Pilot criteria and enforcement will be subject to FHWA review for the three (3) year duration.

E. Sign owners that erect or maintain an advertising device in violation of the Highway Advertising Control Act, §57-25-110, *et. seq.* (2006, as amended) or its regulations are prohibited from participating in the Pilot. Participation in the Pilot is not mandatory. The scope of the Pilot is limited to I-26 and I-95. If any segment of I-95 and I-26 is designated as scenic highways, such areas are excluded from upgrades.

F. Approval by SCDOT of the nonconforming sign to be upgraded on the interstate highway and the two (2) or more nonconforming signs that are to be removed from the NHS route is required prior to acceptance into the program. Upgraded nonconforming advertising signs can be located in residential or agricultural areas or other type of zoning because the signs remain nonconforming.

G. The parties agree that just compensation value for the (1) original nonconforming sign structure, and (2) any leasehold interest in real property where the sign is located, will be the fair market value as determined by an appraiser identified on the SCDOT's Approved Appraiser List, upon applying for the pilot program. This means that if the sign is acquired at a later date for any Federal or state project, the just compensation value for the sign structure and any leasehold interest to the sign owner or the landowner will be that established at the time of application to the Pilot program by one of SCDOT's approved appraisers. All appraisal costs will be paid by the applicant. The sign owner and/or the landowner have the ability to choose one of the appraisers on the SCDOT Approved Appraisers List. The appraiser will provide a copy of all appraisals to SCDOT. SCDOT will review and approve all appraisals and establish a value. The parties will be bound by the appraiser's determination on just compensation value of the sign structure and the leasehold values derived from the sign and ground lease, if any. The applicant and landowner will execute a voluntary agreement (See Exhibit #3) restricting the determination of value for the sign structure and any leasehold interest to this pre-determined just compensation value and will waive any further compensation and/or relocation assistance. The voluntary agreement will reference the property tax map # and be filed with the Clerk of Court / Office of Deeds in the county where the sign is located and within the official records of the SCDOT. The agreement will be binding on all subsequent landowners and sign owners. Federal participation in any future acquisition of this sign for any purpose will be based on the just compensation value as determined at the time of application to the Pilot program by an appraiser identified on the SCDOT Approved Appraiser List.

H. Applicants shall agree to pay an initial nonrefundable application fee of \$200.00 for each upgraded nonconforming sign on the interstate participating in the Pilot and an annual fee of \$100.00 for the Pilot's 3 year duration. The Pilot fee statement will be included in the annual billing statement for the permit. The fees shall be allocated for the administrative costs incurred by SCDOT in maintaining its outdoor advertising program.

I. There will be no limitation on the number of signs that a sign owner may apply for the Pilot. SCDOT reserves sole discretion to deny the upgrade of any sign on the interstate highway and/or the removal of signs. SCDOT reserves the right to terminate the Pilot at its discretion without cause.

J. The sign owner shall apply for the Pilot using SCDOT form entitled *Outdoor Advertising Nonconforming Sign Upgrade Agreement Form* (hereinafter "*Upgrade Agreement*") (See Exhibit #3). The *Upgrade Agreement* shall be submitted for SCDOT's review along with documents of each interstate nonconforming sign identified as a possible upgrade candidate. Upon SCDOT's receipt of the *Upgrade Agreement*, SCDOT will conduct an on-site review of each location.

K. The *Upgrade Agreement* shall also identify the nonconforming signs subject for removal from the NHS routes. As mentioned above, in order to qualify for removal, the two (2) or more nonconforming signs shall be (1) located on the NHS route, and (2) meet certain size requirements.

L. The sign owner must provide 5 inches X 7 inches in size photographs of both the proposed upgraded interstate sign and the proposed nonconforming signs subject to removal, when submitting the *Upgrade Agreement* to participate in the Pilot. The photographs shall be taken from the edge of the right-of-way, capturing all sign faces and sign supports. Information regarding all sign structures must be captured on the *Upgrade Agreement* form. All sign structures sites participating in the Pilot will receive an on-site review by SCDOT prior to acceptance into the Pilot. Photographs verifying removal of the pre-approved nonconforming signs are to be

maintained in the project file. It is not a requirement that a photograph be taken of the sign permit/tag. Coordinators will do an on-site review of all signs enrolled in the Pilot.

M. Upgraded Nonconforming Signs:

(i) Each upgraded pre-approved nonconforming sign shall be assigned a project number. Information pertaining to the pre-approved removed nonconforming signs shall become part of the project number associated with the upgraded nonconforming sign.

(ii) If any nonconforming sign is upgraded before SCDOT's final written approval, the upgraded nonconforming sign becomes illegal and must be removed at the owner's expense upon written notification from SCDOT.

(iii) If for any reason, an upgraded nonconforming sign which takes part in this Pilot is impacted by a future highway construction or improvement project, the value of the upgraded nonconforming sign shall be fixed and set forth in the *Upgrade Agreement*. The value of the upgraded nonconforming sign shall be based on the value of the original nonconforming sign structure prior to it being upgraded. The value of this sign shall be documented and agreed to by the parties on *Upgrade Agreement* form prior to the sign being approved for participation in the Pilot. A copy of the *Upgrade Agreement* shall be kept on file with the ODA Office and SCDOT Right of Way Office in the file of the road adjacent to it or tract encumbered by the sign (See Section 3G).

(iv) Upgrades to nonconforming signs shall be constructed as a single face, single face back-to-back, or single face V type signs. The total square footage of the sign face will be limited to no more than 672 square foot. Cutouts and extensions are prohibited. SCDOT currently maintains an automated permitting program (with digital photos) where total square footage of sign is recorded and monitored. SCDOT will conduct routine inventory control measure to ensure compliance with the maximum square footage limitation through on-site inspections and photographic evidence.

(v) Lighting configuration will remain the same on upgraded nonconforming advertising signs. No lights for any direction of an upgraded nonconforming advertising sign may be added, i.e., upgraded nonconforming advertising may not be lit unless the original direction was previously lit. (Refer to charts, Exhibits #1-E, #1-F). For each direction of an upgraded nonconforming advertising signs that qualifies for lighting, the removed structure(s) must meet required lighting requirements (Refer to charts, Exhibits #1-A, #1-E, and #1-F).

(vi) Nonconforming signs located in ramp areas are ineligible for upgrading. Each upgraded nonconforming advertising sign must meet State and federal spacing requirement such as interchange restriction, distance requirement, block-out areas, etc. State law and the Federal/State Agreement prohibit signs within 500 feet of an interchange, intersection at grade or rest area. Prohibition of billboards within an interchange is a matter of public safety. *Ghaster Properties, Inc. v. Preston, Dir. Of Highways*, 176 Ohio St. 425, 200 NE2d 328; *Seaman vs. Mo. Hwy and Transportation Commission*, 736 S.W.2d 58 (1987); *Robbins v. Mississippi St. Hwy. Comm.*, 369 So2d 765 (1979); *Martin Media v. Com., Dept. of Transp.*, 661 A.2d 479 (1995).

(vii) Nonconforming signs, on NHS routes constructed to controlled access standards, that are nonconforming due to spacing are excluded from participation in this Pilot and cannot be upgraded unless the spacing requirement is corrected. Section 57-25-140(E) – South Carolina Outdoor Advertising Law requires signs to be located 500 feet apart along the interstates. The objectives of the Pilot are the appearance of the interstates and reduction of nonconforming signs. Prohibiting participation of nonconforming signs which violate the spacing provisions is rationally related to this objective.

(viii) A sign owner shall not upgrade a nonconforming sign to a LED or other similar electronic changeable message sign. A sign owner shall not upgrade a nonconforming sign to a mechanical changeable message sign.

(ix) Sign owner is responsible for coordinating with local zoning authorities to obtain the required local permits prior to approval of SCDOT for the upgrade of nonconforming signs on the interstate. SCDOT's current regulations require that where local government regulation exists, no state permit shall be issued unless the applicant submits along with the application either (1) a copy of the permit issued for the site by the local government or (2) a statement from the appropriate local government official indicating that the sign complies with all local government requirements and that the local government will issue a permit to that applicant upon issuance of the state permit by the SCDOT. Failure to obtain the necessary local permission for the upgrade will prohibit participation in the Pilot.

(x) An upgraded interstate preapproved nonconforming sign may not exceed the height of 30 feet above ground level (HAGL).

(xi) Upon completion of upgrading, the interstate sign shall retain its nonconforming classification. Direction of advertising message on upgraded nonconforming advertising signs shall remain the same as the original sign. Upgraded nonconforming advertising signs which were read in a single direction, shall not be allowed to become a cross reader.

N. Removed Nonconforming Signs:

(i) Each of the required nonconforming signs shall be removed by the sign owner or his agent and all must be completely removed prior to any modifications being performed on the upgraded nonconforming sign located on the interstate.

(ii) All qualified nonconforming signs subject to the removal provision must be from the NHS route, and must meet certain size and lighting requirements as specified in Section 3(A) of this proposal. Exhibits #1-A and #1-B provide details relating to qualification for removed structures. Exhibits #1-C, #1-D, #1-E, and #1-F provide details relating to the minimal sizes and number of removed structures required for a sign to be upgraded. The minimal size of a structure qualifying as a removed structure is three hundred fifty (350 SF) square feet. SCDOT will monitor all sign structures to ensure that the size and lighting requirements are met.

(iii) Upon removal of each required qualified, preapproved nonconforming signs, sign owners will surrender the outdoor advertising permits of the removed signs to SCDOT's Outdoor Advertising Office in Columbia, South Carolina.

(iv) The landowner and sign owner shall acknowledge on the *Upgrade Agreement* that any compensation for removal of the nonconforming signs, if any has been paid in full by the sign owner.

(v) The upgraded structure shall not qualify as a removed structure.

(vi) Removed nonconforming signs may change classifications of adjacent signs to conforming.

O. It is anticipated that the Pilot will reduce the administrative burden of the State, as each time a permit holder participates, the removal of two (2) or more qualified, preapproved nonconforming signs from NHS routes will occur. Such reduction of nonconforming signs is intended to reduce the total sign inventory statewide and has the potential to positively impact the labor and costs associated with OAC inventory monitoring. Such reduction also has the potential to decrease just compensation exposure for removal of the nonconforming signs when impacted by a SCDOT highway project. In addition, South Carolina is a southeastern state subject to potential tornados, funnel clouds and strong winds. By allowing nonconforming wooden signs to be upgraded to monopole, it is anticipated that requests by sign owners for routine maintenance and repairs of wooden panels and stringers would be lessened, thereby reducing the number of administrative reviews of repairs by SCDOT.²

² According to Regulation 63-350(C) (7) (e), repair and maintenance of face panels and stringers are allowed on nonconforming signs.

P. It is anticipated that the Pilot will enhance public safety by restricting the height of an upgraded sign to 30 feet HAGL as measured from the centerline of the roadway. HAGL is defined as the height above ground level measured in feet from the center of the travel way to the lowest edge of sign face. Such components as apron and platforms are not considered when measuring HAGL.

4. THE INTENDED SCOPE AND TIME PERIOD FOR THE PROPOSED PRACTICE. FOR EXAMPLE, GEOGRAPHIC LIMITS MAY RANGE FROM BROAD TO RESTRICTED (STATEWIDE, ONE AREA, ONE PROJECT, ETC). THE PROPOSED LENGTH OF THE PILOT SHOULD BE LIMITED TO THAT TIME PERIOD NEEDED TO OBTAIN MEASURABLE RESULTS. THE LEGAL AUTHORITY FOR THE PROJECT PRACTICE ENDS AT THE TERMINATION OF THE PILOT.

A. The Pilot shall be conducted on Interstate I-26 and I-95. Interstate I-26 and I-95 carry a large amount of tourist traffic in and out of the state. I-26 receives travelers from the Northwestern area of the state from North Carolina. I-26 channels over 1,367,900 travelers daily into the coastal resort areas of SC. I-95 receives an average of 146,900 daily travelers from North Carolina. I-95 averages 326,300 travelers daily exiting the low country of SC into Georgia. Provided for review is statistical data from the Average Daily Traffic Count for I-26 and I-95 and counties located on those routes to substantiate the traffic.

Average Daily Traffic Count

<u>I-95</u>		<u>I-26</u>	
Dillon County	146,900	Spartanburg County	507,000
Florence County	235,400	Laurens County	106,000
Sumter County	80,500	Newberry County	209,500
Clarendon County	167,100	Richland County	375,300
Orangeburg County	187,300	Lexington County	944,000
Dorchester County	82,400	Calhoun County	107,600
Colleton County	155,800	Orangeburg County	272,400
Hampton County	79,100	Dorchester County	94,400
Jasper County	326,300	Berkeley County	146,300
		Charleston County	1,367,900

B. Interstates I-26 and I-95 were selected because they transect the State of South Carolina. The selection process was focused on interstates that carried out-of-state tourism or interstate commerce. In the selection process for the subject interstates, consideration was given to the number of miles of the interstate, the amount of urban sections and local government jurisdictions, and the number of nonconforming signs.

C. Potential upgraded nonconforming signs on I-95: There are approximately 598 nonconforming signs on I-95. Of the 598 nonconforming signs on I-95, the majority of the signs are wooden structures and approximately 319 are over the age of 20 years (built before 1987). Attached are pictures of several wooden structures which prompted the pursuit of the Pilot (See Exhibit #4). These signs are old, wooden structures which require annual repair and maintenance by the sign owner; and constant monitoring by SCDOT. This statistic does not include illegal signs on I-95. Illegal signs are prohibited from participation in the Pilot. Illegal signs require immediate removal.

D. Potential upgraded nonconforming signs on I-26: There are approximately 246 nonconforming signs on I-26. Of the 246 nonconforming signs on I-26, the majority of the signs are wooden structures and approximately 102 are over the age of 20 years (built prior to 1987). Attached are pictures of several wooden structures which prompted the pursuit of the Pilot (See Exhibit #4). These signs are old, wooden structures which require annual repair and maintenance by the sign owners, and constant monitoring by SCDOT. This statistic does not include illegal signs on I-26. Illegal signs are prohibited from participation in the Pilot. Illegal signs require immediate removal.

E. Potential removed nonconforming signs: Qualified, preapproved nonconforming signs may be removed from any NHS route statewide. As mentioned above [Section 3.N (ii)], a nonconforming sign subject to removal under the Pilot must meet certain size and lighting requirements to qualify for removal. SCDOT will conduct on-site reviews of the proposed signs to ensure that they meet the size restrictions. The removal area is statewide to encourage a reduction of all qualifying nonconforming signs. Reduction in the number of nonconforming signs benefits the State by reducing the labor and cost associated with monitoring and inventorying on those signs, along with possible reduction in just compensation costs if the signs are impacted by a highway project.

F. The Pilot will be limited to a period of three (3) years commencing on the date that the Notice to Proceed for the Pilot is issued by the SCDOT's Secretary of Transportation. The legal authority for the Pilot ends at expiration of the three (3) year period or by termination of the Pilot at the discretion of the SCDOT. It is anticipated that a three (3) year term will be sufficient time to obtain measurable results. The results will be measured by (1) the number of signs participating in the project, (2) a survey of the areas to determine if the appearance of I-95 and I-26 has been improved, (3) an analysis of the cost-benefits of repair/maintenance request on these route, (4) an analysis of the cost-benefits to SCDOT staff inventory control and monitoring, and (5) a determination if a reduction in non-conforming signs statewide was achieved.

5. A DESCRIPTION OF THE EXPECTED EFFECTS OF THE PILOT, INCLUDING POTENTIAL BENEFITS, HARM, AND BURDEN TO THE PUBLIC AND /OR TO PRIVATE PERSONS OR ENTITIES.

A. There are a number of expected effects of the Pilot to South Carolina: (1) the reduction of the overall number of nonconforming billboards statewide through the removal of two (2) or more qualified, pre-approved nonconforming signs at the sign owners expense; (2) uniformity in the appearance of the interstates of I-95 and I-26 due to the size, height, and structure materials restrictions imposed by the Pilot; (3) reduction in requests for repair and routine maintenance by the sign companies; (4) cost benefit in inventory monitoring time and overhead in reviewing signs for repair and routine maintenance by SCDOT; (5) improve public safety by restricting height of signs and potential wind storm debris on highway right-of-way caused by wooden signs, and (6) cost benefit from possible reduction in just compensation costs for signs if impacted by a state highway project.

B. There are approximately 6350 permitted signs in South Carolina. Of those signs, approximately 2,413 are nonconforming. Of the 2,413 statewide nonconforming signs, 844 of them are located on I-26 (246 total) and I-95 (598) total. The majority of the 844 nonconforming signs located on I-26 and I-95 are wooden structures and, of the 844 nonconforming signs on these subject interstates, 421 were built prior to 1987 (over 20 years ago).

C. SCDOT will not need additional manpower to monitor the removal and upgrade of signs participating in the Pilot. SCDOT is set up under a seven (7) district concept. Each district has an outdoor advertising coordinator assigned to the district office to review and monitor signs.

D. The Pilot will allow some local jurisdictions and civic organizations, as well as billboard owners, the opportunity to address nonconforming billboards in sensitive areas. Sensitive areas may be urban controlled route with a proliferation of nonconforming signs where the removal of two (2) or more nonconforming signs will assist them in their local beautification efforts. Sensitive areas may also be interstate gateways to towns and cities, where nonconforming signs can be upgraded to a uniform size, height and structure material [monopole instead of wooden]. It is anticipated that the potential uniformity appearance of the upgraded signs, along with reduction in nonconforming signs on other NHS controlled routes will have positive effects on local governments, civic and scenic groups concerns on the Interstate system and NHS primary system.

E. There is no anticipated adverse effect or harm from the implementation of the Pilot. Without the Pilot, the 844 nonconforming signs will continue to exist on I-26 and I-95. With the Pilot, the 844 nonconforming signs will still exist, but will be upgraded, thereby improving their appearance. No new nonconforming signs will be erected by the Pilot. On the contrary, two (2) or more nonconforming signs from any NHS routes will have to be removed in order the upgrade an interstate sign. Additionally, the removed signs must meet specific size and lighting restrictions in order to qualify for removal. Moreover, the upgraded sign is restricted by size, height, lighting, and materials [monopole vs. wooden]. The upgraded sign retains its pre-upgraded value (structure and leasehold) and nonconforming status. The effect is a win-win for (1) the industry in upgrading a sign, (2) for SCDOT, local government and civic organizations in reducing the nonconforming sign inventory, and (3) for the traveling public in viewing signs that are more uniform in appearance of size, height and material.

F. SCDOT and FHWA will not pay any compensation to the landowner or billboard owner as a result of the removal of a nonconforming billboard. Any compensation due to the landowner as a result of the removal of a nonconforming billboard will be the responsibility of the sign owner. The sign owner voluntarily agrees to removal the signs at his expense. If an

upgraded sign is impacted by a future highway project, any compensation due the sign owner or land owners would be limited to the value of the original (non-upgraded) sign structure and any leasehold interest as established by an approved SCDOT appraiser (See Section 3G). The pre-upgraded value will be set forth and agreed upon under the *Upgrade Agreement* form (See Exhibit #3) prior to the signs acceptance into the Program.

G. SCDOT anticipates no burden to the public or private persons/entities based on information received from stakeholders. SCDOT identified six (6) major stakeholders of this Pilot. Response to the Pilot has been positive. The first stakeholders identified were 143 sign owners who currently have permitted signs on I-26 and I-95. These sign owners were individually contacted by a letter which explained the Pilot (See Exhibit #5). All 143 sign owners responded positive to questions regarding the project. Additionally, SCDOT contacted the South Carolina Outdoor Advertising Association (SCOAA) whose membership is statewide and consist of the majority of sign companies in the State of South Carolina. SCDOT held several meetings with the SCOAA and presented to them details of the Pilot. On behalf of its membership, the SCOAA provided written endorsement of the Pilot (See Exhibit #6).

H. The second stakeholders were determined to be local governments in the area of I-95 and I-26. To address local governments, SCDOT made presentations to the Council of Governments (COGs) Organizations. The mission of the COGs is the formation of a council which assists local governments in developing local and regional plans within their member counties of SC, as well as providing local government with planning and technical support to improve the quality of life within the region. Local governments within its region appoint the governing board of each COG. Six (6) COGs received personal presentation by the SCDOT's Director of Outdoor Advertising regarding the Pilot. The presentation includes a PowerPoint display and handouts describing in detail the Pilot. These six (6) COGs covered 36 counties of the 46 counties in the State which intersected with the I-95 and/or I-26 corridors. Each COG had either route I-26 or I-95 going through it or it bordered one of the subject interstates. Each COG provided written endorsement of the Pilot (See Exhibit #7 A-F).

I. The third stakeholder group was identified as civic organizations interested in the control of outdoor advertising. SCDOT meet with leaders of The Sierra Club and The Garden Club of SC to present and explain the details of the Pilot. SCDOT received positive written endorsement of the Pilot from these stakeholders (See Exhibit #8 A-B).

J. The fourth stakeholder group was identified to be citizens of the State of South Carolina. The interest of the citizens of the State of South Carolina is determined to be the cost-benefits produced by the implementation of the Pilot. The reduction in administrative costs associated with repair and routine maintenance requests by the sign owners will be a factor for consideration. Potential increase in public safety as a result of upgrades made to older signage along the subject interstates, as well as removal of nonconforming signs statewide is another factor.

K. The fifth stakeholder group was identified to be the motoring public along I-95 and I-26. Interests of the motoring public along the subject interstates is calculated in two parts: (1) appearance of interstate signage, and (2) reduction in nonconforming signs on OAC regulated routes statewide. Appearance of interstate signage is intended to produce signs that are uniform in size, height and structure material. Reduction in nonconforming signs on OAC regulated route are intended to ease sign proliferation in sensitive area and/or overall nonconforming sign inventory along regulated routes.

L. The sixth stakeholder was identified as the land owner. The land owner would have an interest in the signs being removed and upgraded. Actions taken on these signs could impact leasing arrangements.

M. Upon approval of the Pilot by federal and state agencies, SCDOT's marketing strategy will consist of dissemination of the Pilot guidelines to all ODA industry representatives, local governments, COGs and civic organizations involved or interested in outdoor advertising control. The *Upgrade Agreement* will be mailed to sign owners along I-95 and I-26. In addition, SCDOT will commence a telephone campaign to inform sign owners along I-95 and I-26 of the Pilot opportunity.

N. The marketing strategy will also include an internet campaign. SCDOT will launch a press release on its website detailing the Pilot to the public. A web page on SCDOT website will be created to provide details of the Pilot and its progress through the posting of quarterly progress reports. SCDOT will also send the quarterly progress reports to the local jurisdictions impacted by the Pilot. SCDOT will submit annual progress report to SCDOT and FHWA on the Pilot.

O. Within sixty (60) days after the end of the Pilot term (3 years from the date of Notice to Proceed), SCDOT will submit to FHWA a written report analyzing the benefits, harm, burdens, costs, and effects of the Pilot.

P. The only information not currently included in the Pilot summary is the outcome of a public hearing which is to be held on a date approved by FHWA in Santee, SC. This city is in the vicinity of I-26 and I-95. SCDOT's Public Hearing Officer will be organizing the public hearing. This public hearing is being conducted in the same manner as a federally funded project. A newspaper statewide will announce the public hearing (See Hearing Notice Exhibit #10). Direct notices will be sent to specific stakeholders (Sierra Club of America, Garden Club, and Outdoor Advertising Association of America). The result of the public hearing will be provided to FHWA upon completion (See Issues / Concerns of Stakeholders, Exhibit #11).

6. AN ANALYSIS OF HOW THE PILOT MEETS THE MINIMUM STANDARDS DESCRIBED IN THIS GUIDANCE.

The proposed Pilot project meets the minimum standards in the August 30, 2005 guidance as follows:

A. Likely to result in a proposal for change at the national level:

(i) Most, if not all, states have similar provisions to South Carolina law pertaining to reasonable repair and maintenance of nonconforming signs. These states grapple with failure of the “phase out” process intended by the HBA. Like South Carolina, a percentage of their inventory consists of old, wooden, nonconforming signs that require regular repair and maintenance by sign companies. Similarly, these states have to process the repair and maintenance request and expend administrative cost in monitoring the repairs.

(ii) Like South Carolina, most states have an inventory of nonconforming signs that they would like to reduce, through a voluntary method, without the payment of just compensation.

(iii) Like South Carolina, OAC regulated routes transect local jurisdictions. These jurisdictions have an interest in both the elimination of nonconforming signs from sensitive areas and the uniformity of nonconforming sign within their jurisdictions.

(iv) The Pilot seeks to impact the HBA by changing the Code of Federal Regulations 23 CFR Part 750.707(d)(5) - the [nonconforming] sign must remain substantially the same as it was on the effective date of the State law or regulations. Since the HBA affects all states, such change will have a potential impact on all state OAC programs. If the Pilot is successful, it may lead to a change in federal regulation which will better address the nonconforming sign issue of the states.

B. Meets statutory purpose:

(i) The HBA was predicated on protecting the public investment in the interstate system and primary system, to promote the safety and recreational value of public travel, and to preserve natural beauty. The Pilot complements the HBA purpose in that it preserves the status of the sign as a nonconforming structure, yet allows the sign to be upgraded to reduce the number of oversized and over height multiple-poled wooden or I-beam sign structures. The Pilot upgrades will have the effect of producing nonconforming signs that are uniform in size, height and material. The premise is to eliminate the multiple-poled, jumbo signs, with standard legal-sized sign. However, the upgrade does not change the status of the sign as the sign remains nonconforming.

(ii) The Pilot seeks to improve the public investment in the highways by improving the appearance of signs adjacent to the subject interstates by upgrading nonconforming, preapproved signs, while also improving the appearance of other OAC regulated routes by the removal of two (2) or more pre-approved nonconforming signs.

(iii) It is also contemplated that by restricting height of the upgraded signs, additional safety measures to the traveling public may be achieved. It is anticipated that the height restriction may reduce the chances of signs and wooden debris falling into the right-of-way or roadway in high winds.

C. In the public interest:

(i) Nonconforming signs are a constant element in the SCDOT OAC Program. On the one hand, according to the HBA, a nonconforming signs “must remain substantially the same as it was on the effective date of the State law or regulation that made it nonconforming.” However, on the other hand, the HBA allows reasonable repair and maintenance of the nonconforming sign based on State developed criteria on customary maintenance. At the inception of the HBA in the 1960’s, the public interest may have been served by the “phase out” method intended by the HBA. This method essentially meant that the nonconforming signs,

through minimal repair and maintenance, would eventually become so dilapidated they would fall down. The reality is, however, that the HBA, as it pertains to 23 CFR 750.707(d)(5), is not achieving its intended goal of “phasing out” nonconforming signs. In actuality, nonconforming signs, through the “reasonable repair and maintenance” exception of the HBA, does not “phase out” nonconforming signs. The dichotomy between the two sentences in 23 CFR 750.707(d)(5) has created the “perpetual” nonconforming sign issue.

(ii) It can be argued that the public interest is not sufficiently served by 23 CFR 750.707(d)(5). The Pilot recognizes that 23 CFR 750.707(d)(5) is ineffective in managing nonconforming signs. Rather than allow them to remain in a degraded state, the Pilot serves the public interest by allowing the nonconforming sign to be upgraded, while maintaining their nonconforming status and pre-upgraded value. It also promotes public interest by the removal of two (2) or more pre-approved nonconforming signs.

(iii) It is anticipated that the benefits of the Pilot will be significant in reducing the number of nonconforming signs statewide and outweigh any adverse effect from the upgrading of the interstate preapproved nonconforming signs. Any adverse effect would be minimal in that the upgraded signs (1) remain classified as nonconforming, (2) their value, for acquisition purposes, is set forth by agreement as the pre-upgraded sign value and leasehold, if any, and (3) the signs remain subject to federal and state law as it pertains to destroyed, abandoned or discontinued signs.

(iv) While the upgrade is a permanent affect to the nonconforming sign, it is anticipated that there are no harmful effects from this permanent upgrade. In other words, the nonconforming signs along the subject interstates are already in existence, with or without the Pilot. Empirical data shows that less than one percent, (0.787%) of the total South Carolina permitted sign inventory (6350 signs) have been cancelled over the past five (5) year. Of these cancelled permits, none of the signs were nonconforming signs that were “phased out”, but were cancelled for other reasons such as storm damage and lack of marketability for the sign. Rather than allow the signs to remain in a degraded state, the Pilot proposes to further public interest by improving the appearance of the highways, by both upgrading the signs and removing nonconforming signs.

D. Complies with National Environmental Policy Act (NEPA):

The proposed Pilot complies with NEPA requirements. A Categorical Exclusion Type B (CEB) was issued on April 18, 2006 for the Pilot (See Exhibit #9). Under the Categorical Exclusion classification, pursuant to 40 CFR 1508.4, the Pilot does not individually or cumulatively have a significant effect on the human environment and was found to have no such effect in procedures adopted by the FHWA for implementation of the NEPA regulations. Therefore, neither an environmental assessment nor an environmental impact statement is required.

E. Developed with public Involvement:

(i) Stakeholder involvement was incorporated in the development of the proposed Pilot. The stakeholder groups included the Outdoor Advertising Industry, SC Chapter of The Sierra Club, Scenic America of SC, The Garden Club of SC, Inc., SC Council of Governments (COGs), permit holders on I-26 and I-95. The COGs assist local governments in developing local and regional plans within their counties. The guiding principles of the COGs is to: (1) provide a forum where any local government can have issues heard and needs addressed, (2) advocate on behalf of regional government, business and citizens, and (3) provide planning and technical assistance with current and future needs of the region in mind. COGs are open to the public. SCDOT met with each COG organization where the Pilot was reviewed and discussed. SCDOT received letters of endorsement / support for the Pilot from the six (6) COGS. SCDOT wrote all permit holders with active permits on I-26 and I-95 informing them of the Pilot. An information sheet explaining the Pilot and seeking comments was provided. The Pilot was received with overwhelming support. A copy of the letter to stakeholders is attached (See Exhibit #5). Only one

owner did not support the project. This owner would not have qualified for the Pilot because he had no signs along the subject interstates, only on Federal-aid Primary Routes.

(ii) The traveling/motoring public and tourist have also been included as stakeholders. Tourist gain benefits of having the sign structures on I-26 and I-95 because they provide ongoing information about goods and services available ahead. The upgrade of these structures will provide a more uniform appearance of the signs, in size, height, and material requirements.

(iii) Representatives of the Outdoor Advertising Association (OAAA) represented the outdoor advertising industry in South Carolina. The OAAA was apprised of the scope of the Pilot and unanimously arrived at a consensus on its implementation.

(iv) Through written contact with the sign owners, OAAA, civic organization and local governments, SCDOT developed public involvement. The public involvement procedures provided (1) an opportunity during the project development for the stakeholders to be involved in the identification of social, economic, and environmental impacts; (2) notification of the proposed Pilot to the stakeholders for consideration; and (3) explanation of the Pilot, including the projects purpose, need, and consistency with the goals and objectives of the HBA were discussed with the stakeholder groups. All social, economic, environmental and other impacts were considered.

(v) A public hearing will be scheduled on a date approved by FHWA in Santee, SC. A public notice will be listed in a newspaper statewide. Major stakeholders who have been known to have an interest in outdoor advertising will be sent invitations to attend the public hearing.

(vi) The Pilot's public involvement process satisfies the FHWA requirement in 23 CFR 771.111(h) and 23 CFR §771.111(f). Keith C. Melvin, SCDOT Director of Outdoor Advertising, met with the stakeholder groups and afforded the interested groups the opportunity to review the Pilot. A Public Hearing was scheduled on a date approved by FHWA (See Exhibit #11) for Public Hearing Issues / Concerns.

F. Expected risks from the proposed experiment are proportionate to the potential positive results:

(i) SCDOT anticipates no expected risks from the Pilot. There have been no nonconforming signs along the Interstates system that have been canceled or "phased out" by natural causes (Acts of God) in South Carolina over the past five (5) years. While the nonconforming signs have been partially destroyed by wind or other natural forces, under South Carolina Law, sign companies are allowed to rebuild the sign structure if the SCDOT determines the damages to the sign was less than 50 % of its replacement cost as of the time of the damages. In each case over the past years, damages to a partially destroyed nonconforming signs have been determined to be less than 50% and, therefore, they were rebuilt.

(ii) SCDOT anticipates no manpower shortages in the review of the two (2) or more pre-approved removed nonconforming signs or the upgraded sign. SCDOT currently has an automated permitting system that will assist in the tracking and monitoring of the two (2) nonconforming signs that are removed and the upgraded preapproved interstate sign.

(iii) SCDOT will incur no cost associated with upgrade or removal of the sign structure, as the sign owner shall upgrade at his expense and remove the nonconforming signs at his expense.

(iv) Risks associated with certain signs not allowed to participate in the program have been weighed.

(a) Non participation may result from a sign being located in a ramp area. In such event, public policy and state statute prevent erection of nonconforming signs in ramp areas and provides a rational basis for their exclusion from the Pilot.

(b) Non participation because of spacing conflicts of signs [500 ft rule] along the interstate has been weighed. In such event, sign owners will be given the opportunity to correct spacing conflicts. If the spacing conflict cannot be cured, public policy and state statute

prevent erection of signs within 500 feet of another sign structure and provides a rational basis for their exclusion from the Pilot.

(v) Risks associated with other sign companies not allowed to participate in the program have been weighed. Nonconforming signs located on other interstates (I-77, I-85, I-277, I-385, I-526, I-20) are not included in the Pilot. Such signs are owned by other sign companies who will not be given the opportunity to participate in the Pilot. In such event, equal protection clause arguments should not be held to prevent a state from conducting an experimental or pilot program designed for the public good on less than a statewide basis. *Aguayo v. Richardson* 473 F.2d 1090, 1109 (2d Cir.1973), *cert. denied*, 414 U.S. 1146, 94 S.Ct. 900, 39 L.Ed.2d 101 (1974); *N.B. v. Sybinski*, 724 N.E.2d 1103 (2000).

(vi) Risks associated with future acquisition of the upgraded nonconforming signs have been mitigated by the requirement that the sign owner and landowner agree on the *Upgrade Agreement* form that the value of the nonconforming upgraded sign and leasehold interest, if any be set forth as its pre-upgraded value. Therefore, in the event of a highway widening project or acquisition of the sign, the value of the structure and leasehold interest, if any is pre-determined and should not be an issue (See Section 3G). A copy of the *Upgrade Agreement* will be filed with the SCDOT right-of-way office and county Residence Construction Engineers Office for each affected interstate.

(vii) Risks associated with the removal of a qualified nonconforming sign from any SC NHS regulated route have been mitigated by the sign owner's agreement in the *Upgrade Agreement*. The sign owner agrees to be responsible for all removal expenses, including but not limited to, damages to the landowner caused by the removal of the sign. The sign owner, in the *Upgrade Agreement*, agrees to hold SCDOT and the State of South Carolina harmless from all causes of action, direct or indirect, resulting from the voluntary removal of the nonconforming sign.

7. A SUMMARY OF THE PUBLIC INVOLVEMENT PROCESS, INCLUDING A REPORT ON THE ISSUES AND INTERESTS EXPRESSED BY THOSE IN SUPPORT OF AND THOSE OPPOSING THE PILOT.

A. In the process of obtaining public involvement, SCDOT originally identified three (3) stakeholders: (1) the Outdoor Advertising Industry, (2) SC Chapter of The Sierra Club, and (3) The Garden Club of SC, Inc. In the initial application SCDOT indicated that they met with the SC Outdoor Advertising Association, which represented small and large sign companies statewide. Since that time, SCDOT has expanded its public involvement to all active permit holders (small and large) on I-26 and I-95. Public involvement was further extended to local governments, civic organizations, and general public. Personal presentations were given to Council of Government (COG) organizations that are comprised of 36 counties and citizens from around the state. The description and goals of the Pilot was disseminated statewide with an opportunity for those with concerns to be heard. The stakeholders received a detailed presentation that covered the objectives and potential benefits of the Pilot.

B. The only information not currently included in the Pilot manual is the outcome of a public hearing which will be held on a date approved by FHWA in Santee, SC. This city is in the vicinity of I-26 and I-95. SCDOT's Public Hearing Officer will be organizing the public hearing. This public hearing is being conducted in the same manner as a federally funded project. A newspaper statewide will announce the public hearing. Direct notices will be sent to specific stakeholders (Sierra Club of America, Garden Club, and Outdoor Advertising Association of America). The result of the public hearing will be provided to FHWA upon completion.

C. Attached will be a summary of the outcome of the Public Hearing reflecting the issues and interest expressed by those in support of and those opposing the Pilot (See Exhibit # 11).

8. THE APPROPRIATE NEPA DOCUMENTATION, INCLUDING DOCUMENTATION REQUIRED UNDER 23 CFR 771.111 (H).

A. The Pilot has been environmentally classified as a Categorical Exclusion (CE) Type B (no individual environmental document required) based on information contained in the Draft ODA Pilot Project Report. See Exhibit #9 - CE Type B. Under the CE classification, the Pilot has been determined not to have any significant environmental impacts. 23 CFR 771.117(a). Moreover, under 23 CFR 771.117(c), this type of project normally would not require further NEPA approvals as the upgrade would fall under 23 CFR 771.117(c)(8), which provides:

The following actions meet the criteria for CE in the Council on Environmental Quality (CEQ) regulation (40 CFR 1508.4) and 23 CFR 771.117(a) of this regulation and normally do not require any further NEPA approvals by the Administration: (8) Installation of fencing, signs, pavement markings, small passenger shelters, traffic signals, and railroad warning devices where no substantial land acquisition or traffic disruption will occur.

B. Social, economical, environmental and other impacts of the Pilot are not significant as determined by the CE Type B Environmental Classification which was determined by SCDOT's Environmental Office and approved by FHWA Environmental Office. In accordance with 23 CFR 771.111(h), SCDOT carried out public involvement meetings pursuant to 23 USC 128. Specifically, in accordance with 23 USC §128, SCDOT herewith provide that:

(i) Keith C. Melvin, SCDOT Director of Outdoor Advertising, met with the stakeholder groups and will conduct a Public Hearing on a date approved by FHWA to afford the interested groups the opportunity to meet and review the Pilot (See Exhibit #11 Notice of Hearing). The purpose of this public meeting is to allow the stakeholders an opportunity to express support and objections to the Pilot. At the public meeting, SCDOT reviewed the economic, social, environmental and other possible effects of the Pilot project with the stakeholders.

(ii) Letters from the various stakeholder groups evidencing that an opportunity was afforded to them to express any objections to the Pilot (See Exhibits #6, #7 A-F and #8 A-B).

(a) March 14, 2005 letter from W. Scott Shockley to Keith Melvin advising that the Outdoor Advertising Association of South Carolina, Inc. (OAASC) endorses the Pilot (See Exhibit #6).

(b) March 4, 2005 letter from Dell Isham to Keith Melvin advising that the South Carolina Chapter of the Sierra Club endorses the Pilot (See Exhibit #8 B).

(c) April 22, 2005 letter from Pat Abercrombie to Keith Melvin advising that The Garden Club of South Carolina, Inc. supports the Pilot (See Exhibit #8-A).

(d) On October 3, 2006, a letter was sent to all sign owners who currently have active permits on routes I-26 and I-95. All respondents gave an overwhelming endorsement of the pilot project (See Exhibit #5).

(e) Letters from COGs endorsing the Pilot (See Exhibit #7 A-F).

C. In compliance with 23 CFR 771.111(h), SCDOT contacted the stakeholder groups and provided them with explanatory information regarding the Pilot's purpose, impacts, if any, and an opportunity to express objections.

Examples – Details of Removed Structure(s)**A. Each Panel size: 672 Square Feet (SF) or larger**

Examples of a Removed Location	Qualifying Sign Structures	Qualifying Size of Sign Structure	Lighting Qualifications
1) <i>Single</i> , advertising in one direction with lighting	1	672 SF	One direction
2) <i>Single - stacked</i> , advertising in one direction with lighting	1	672 SF	One direction
3) <i>Side by Side</i> , advertising in one direction with lighting	2	672 SF	One direction
4) <i>Side by Side - stacked</i> , advertising in one direction without lighting	2	672 SF	None
5) <i>Side by side - double face or back to back</i> , advertising in two directions with lighting in one direction	2	672 SF	One direction
6) <i>Double Face or back to back</i> , advertising in two directions, No lights	1	672 SF	None
7) <i>Double Face – Stacked or Back to Back - Stacked</i> , advertising in two directions with lighting in both directions	1	672 SF	Two directions
8) <i>V Shaped</i> , advertising in two directions with lighting in both directions.	1	672 SF	Two directions
9) <i>V Shaped - side to side</i> , advertising in two directions with lighting in both directions.	3	672 SF	Two directions
10) <i>V Shaped - side to side, stacked</i> , advertising in two directions with lighting in both directions	3	672 SF	Two directions

Examples – Details of Removed Structure(s)**B. Each Panel size: 12 feet by 25 feet, 300 Square Feet (SF)**

Examples of a Removed Location	Qualifying Sign Structures	Qualifying Size of Sign Structure	Lighting Qualifications
1) <i>Single</i> , advertising in one direction with lighting	0*	300 SF*	None
2) <i>Single - stacked</i> , advertising in one direction with lighting	0*	300 SF*	None
3) <i>Side by Side</i> , advertising in one direction with lighting	0*	300 SF*	None
4) <i>Side by Side - stacked</i> , advertising in one direction without lighting	0*	300 SF*	None
5) <i>Side by side - double face or back to back</i> , advertising in two directions with lighting in one direction	0*	300 SF*	None
6) <i>Double Face</i> or <i>back to back</i> , advertising in two directions, with lighting in two directions	0*	300 SF*	None
7) <i>Double Face - Stacked</i> or <i>Back to Back - Stacked</i> , advertising in two directions with lighting in both directions	0*	300 SF*	None
8) <i>V Shaped</i> , advertising in two directions with lighting in both directions.	0*	300 SF*	None
9) <i>V Shaped - side to side</i> , advertising in two directions with lighting in both directions.	0*	300 SF*	None
10) <i>V Shaped - side to side, stacked</i> , advertising in two directions with lighting in both directions.	0*	300 SF*	None

* **Qualifying size of sign is less than 350 Square feet, Minimum size, No qualification**

Examples – Details for Upgraded Signs – No Lighting

**A. Each Panel size: 672 Square Feet (SF) or larger;
AND no lighting on structure to be upgraded**

<u>Original Sign Structure</u> Each panel on original sign structure - 672 SF or larger and original sign has no lighting	<u>Details of Upgraded Sign</u> Maximum Size: 672 square feet per qualifying direction	<u>Required Remove Structures</u>	
		<u>Number</u>	<u>Minimum Size (Square feet)</u>
1) <i>Single</i> , advertising in one direction	Monopole with advertising in one direction, no lighting,	Two	one 672 SF, plus one 350 SF
2) <i>Single - stacked</i> , advertising in one direction	Monopole with advertising in one direction, no lighting	Two	one 672 SF, plus one 350 SF
3) <i>Double Face</i> or <i>Back to Back</i> , advertising in two directions	Monopole with advertising in two directions, no lighting	Two	one 672 SF, plus one 350 SF
4) <i>Double Face - Stacked</i> or <i>Back to Back - Stacked</i> , advertising in two directions	Monopole with advertising in two directions, no lighting	Two	one 672 SF, plus one 350 SF
5) <i>Side by Side</i> , advertising in one direction	Monopole with advertising in one directions, no lighting	Two	remove the adjacent side by side structure; plus one 350 SF
6) <i>Side by Side - Stacked</i> , advertising in one direction	Monopole with advertising in one directions, no lighting	Two	remove the adjacent side by side structure; plus one 350 SF
7) <i>Side by side - double face</i> or <i>Side by side – back to back</i> , advertising in two directions	Monopole with advertising in two directions, no lighting	Two	remove the adjacent side by side structure; plus one 350 SF
8) <i>V Shape</i> , advertising in two directions	Monopole with advertising in two directions, no lighting	Two	one 672 SF, plus one 350 SF
9) <i>V Shape, Stacked</i> , advertising in two directions	Monopole with advertising in two directions, no lighting	Two	one 672 SF, plus one 350 SF
10) <i>V Shaped –side to side</i> , advertising in two directions	Monopole with advertising in two directions, no lighting	Two	remove both adjacent side by side structures

Examples – Details for Upgraded Signs – No Lighting

**B. Each Panel size: 350 Square Feet (SF), but less than 672 SF;
AND no lighting on structure to be upgraded**

Original Sign Structure Each panel on original sign structure - 350 - 671 SF and original structure has no lighting	Details of Upgraded Sign Maximum Size: 672 square feet per qualifying direction	Required Remove Structures	
		Number	Minimum Size
1) <i>Single</i> , advertising in one direction	Monopole with advertising in one direction, no lighting,	Two Three Four	672 SF; or two 350 SF, one 672 SF; or 350 SF
2) <i>Single - stacked</i> , advertising in one direction	Monopole with advertising in one direction, no lighting	Two Three Four	672 SF; or two 350 SF, one 672 SF; or 350 SF
3) <i>Double Face</i> or <i>Back to Back</i> , advertising in two directions	Monopole with advertising in two directions, no lighting	Two Three Four	672 SF; or two 350 SF, one 672 SF; or 350 SF
4) <i>Double Face - Stacked</i> or <i>Back to Back - Stacked</i> , advertising in two directions	Monopole with advertising in two directions, no lighting	Two Three Four	672 SF; or two 350 SF, one 672 SF; or 350 SF
5) <i>Side by Side</i> , advertising in one direction	Monopole with advertising in one directions, no lighting	Three Four	remove the adjacent sign structure, plus one 350 SF, plus one 672 SF; or remove the adjacent sign structure, plus three 350 SF
6) <i>Side by Side - Stacked</i> , advertising in one direction	Monopole with advertising in one direction, no lighting	Three Four	remove the adjacent sign structure, plus one 350 SF, plus one 672 SF; or remove the adjacent sign structure, plus three 350 SF
7) <i>Side by side - double face</i> or <i>Side by side - back to back</i> , advertising in two directions	Monopole with advertising in two directions, no lighting	Three Four	remove the adjacent sign structure, plus one 350 SF, plus one 672 SF; or remove the adjacent sign structure, plus three 350 SF
8) <i>V Shape</i> , advertising in two directions	Monopole with advertising in two directions, no lighting	Two Three Four	672 SF; or two 350 SF, plus one 672 SF; or 350 SF
9) <i>V Shape, Stacked</i> , advertising in two directions	Monopole with advertising in two directions, no lighting	Two Three Four	672 SF; or two 350 SF, plus one 672 SF; or 350 SF
10) <i>V Shaped –side to side</i> , advertising in two directions	Monopole with advertising in two directions, no lighting	Three Four	remove the two adjacent sign structures, plus one 672 SF; or remove the two adjacent sign structures, plus two 350 SF

Exhibit # 1-D

Examples – Details for Upgraded Signs – With Lighting**C. Each Panel size: 672 Square Feet (SF) or larger;
AND lighting on structure to be upgraded**

<u>Original Sign Structure</u> Each panel on original sign structure - 672 SF or larger and original structure has some lighting	<u>Details of Upgraded Sign</u> Maximum Size: 672 square feet per qualifying direction	<u>Required Removed Structures</u> Minimum Size <u>Number</u> <u>(Square feet)</u>	<u>Required Lighting on Removed Structures</u>
1) <i>Single</i> , advertising in one direction	Monopole with advertising in one direction with lighting	Two one 672 SF, plus one 350 SF	One direction
2) <i>Single - stacked</i> , advertising in one direction	Monopole with advertising in one direction with lighting	Two one 672 SF, plus one 350 SF	One direction
3) <i>Double Face</i> or <i>Back to Back</i> , advertising in two directions, lighting in one direction	Monopole with advertising in two directions with lighting one direction	Two one 672 SF, plus one 350 SF	One direction
4) <i>Double Face - Stacked</i> or <i>Back to Back - Stacked</i> , advertising in two directions, lighting in two directions	Monopole with advertising in two directions with lighting on two directions	Two one 672 SF, plus one 350 SF	Two directions
5) <i>Side by Side</i> , advertising in one direction	Monopole with advertising in one directions with lighting	Two remove the adjacent side by side structure; plus one 350 SF	One direction
6) <i>Side by Side - Stacked</i> , advertising in one direction	Monopole with advertising in one direction with lighting	Two remove the adjacent side by side structure; plus one 350 SF	One direction*
7) <i>Side by side - double face</i> or <i>Side by side – back to back</i> , advertising in two directions, lighting in both direction	Monopole with advertising in two directions with lighting on both directions	Two remove the adjacent side by side structure; plus one 350 SF	Two directions*
8) <i>V Shape</i> , advertising in two directions, lighting in one direction	Monopole with advertising in two directions with lighting on one direction	Two one 672 SF, plus one 350 SF	One direction
9) <i>V Shape, Stacked</i> , advertising in two directions, lighting in two directions	Monopole with advertising in two directions with lighting on both directions	Two one 672 SF, plus one 350 SF	Two directions
10) <i>V Shaped –side to side</i> , advertising in two directions, lighting in two directions	Monopole with advertising in two directions with lighting on both directions	Two remove both adjacent side by side structures	Two directions*

*Required Lighting on removed structure(s) achieved

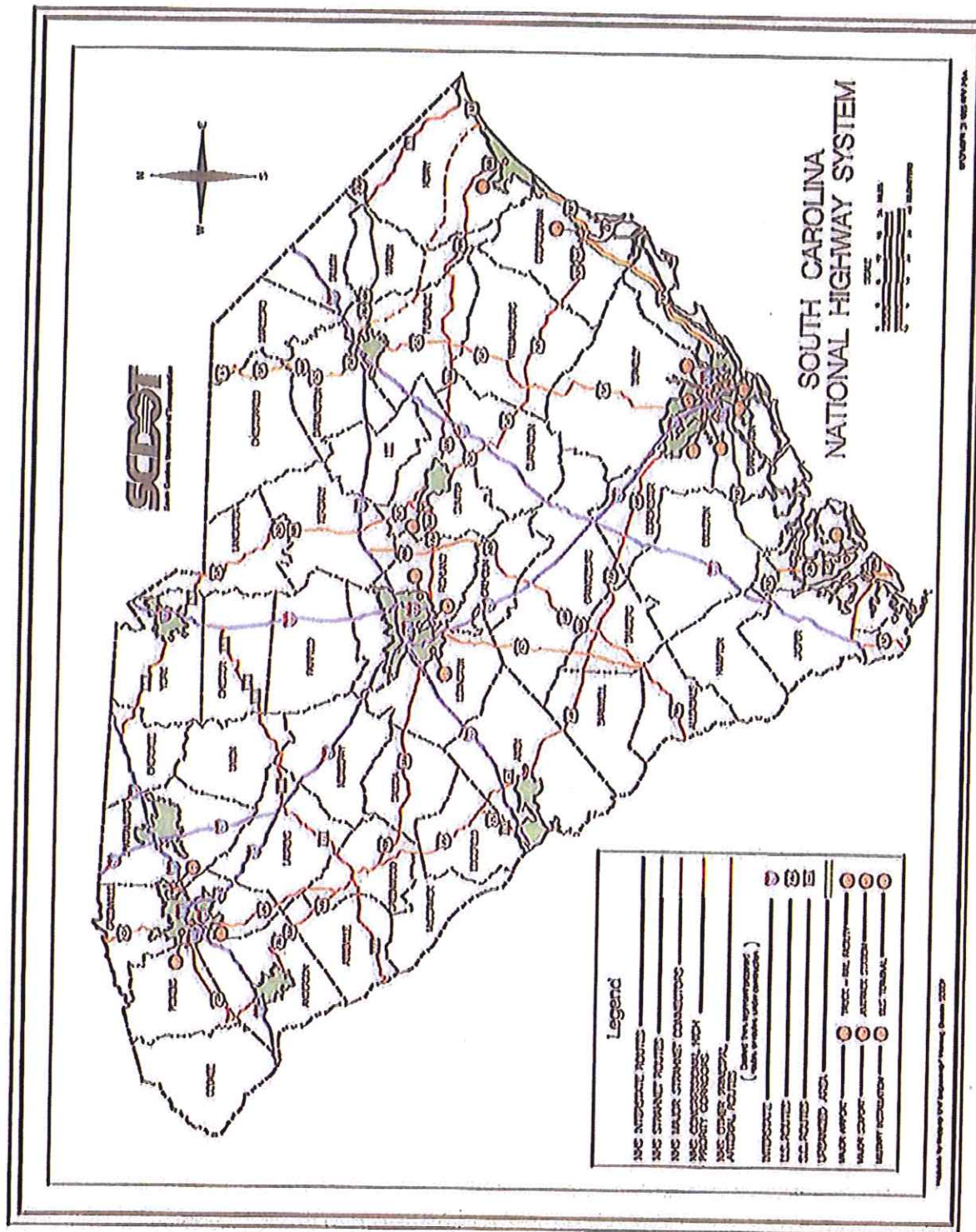
Examples – Details for Upgraded Signs – With Lighting

D. Each Panel size: 350 Square Feet (SF), but less than 672 SF; AND lighting on structure to be upgraded

<u>Original Sign Structure</u> Each panel on original sign structure - 350 – 671 SF and original sign has some lighting	<u>Details of Upgraded Sign</u> Maximum Size: 672 square feet per qualifying direction	<u>Required Removed Structures</u>		<u>Required Lighting on Removed Structure(s)</u>
		<u>Number</u>	<u>Minimum Size (Square feet)</u>	
1) <i>Single</i> , advertising in one direction	Monopole with advertising in one direction with lighting	Two Three Four	672 SF; or two 350 SF, plus one 672 SF; or 350 SF	One direction
2) <i>Single - stacked</i> , advertising in one direction	Monopole with advertising in one direction with lighting	Two Three Four	672 SF; or two 350 SF, plus one 672 SF; or 350 SF	One direction
3) <i>Double Face</i> or <i>Back to Back</i> , advertising in two directions, lighting in one direction	Monopole with advertising in two directions with lighting one direction	Two Three Four	672 SF; or two 350 SF, plus one 672 SF; or 350 SF	One direction
4) <i>Double Face - Stacked</i> or <i>Back to Back - Stacked</i> , advertising in two directions, lighting in two directions	Monopole with advertising in two directions with lighting on two directions	Two Three Four	672 SF; or two 350 SF, plus one 672 SF; or 350 SF	Two directions
5) <i>Side by Side</i> , advertising in one direction	Monopole with advertising in one directions with lighting	Three Four	remove the adjacent sign structure, plus one 350 SF, plus one 672 SF; or adjacent sign structure, plus three 350 SF	One direction
6) <i>Side by Side - Stacked</i> , advertising in one direction	Monopole with advertising in one direction with lighting	Three Four	remove the adjacent sign structure, plus one 350 SF, plus one 672 SF; or remove the adjacent sign structure, plus three 350 SF	One direction*
7) <i>Side by side - double face</i> or <i>Side by side – back to back</i> , advertising in two directions, lighting in two directions	Monopole with advertising in two directions with lighting on both directions	Three Four	remove the adjacent sign structure, plus one 350 SF, plus one 672 SF; or remove the adjacent sign structure, plus three 350 SF	Two directions*
8) <i>V Shape</i> , advertising in two directions, lighting in one direction	Monopole with advertising in two directions with lighting on one direction	Two Three Four	672 SF; or two 350 SF, plus one 672 SF; or 350 SF	One direction
9) <i>V Shape, Stacked</i> , advertising in two directions, lighting in two directions	Monopole with advertising in two directions with lighting on both directions	Two Three Four	672 SF; or two 350 SF, plus one 672 SF; or 350 SF	Two directions
10) <i>V Shaped –side to side</i> , advertising in two directions, lighting in two directions	Monopole with advertising in two directions with lighting on both directions	Three Four	remove the two adjacent sign structures, plus one 672 SF; or remove the two adjacent sign structures, plus two 350 SF	Two directions*

*Required Lighting on removed structure(s) achieved

Exhibit # 1-F



SHEET 01 OF 12
STATE: South Carolina
NATIONAL HIGHWAY SYSTEM

Route Number		Route Description and Termini	County	Mileage			
NHS Frt. #	State or Local			Rural	Small Urban	Urban- ized	Total
1	I-85	From Georgia State Line in Oconee County easterly via Greenville Urbanized Area and Spartanburg Urbanized Area to the NC State Line in Cherokee County.	Oconee	4.03			4.03
			Anderson	36.57			36.57
			Greenville	5.34		9.95	15.29
			Spartanburg	22.74		4.85	27.59
			Cherokee	22.80			22.80
2	I-26	From North Carolina State Line in Spartanburg County southerly via Spartanburg Urbanized Area, Columbia Urbanized Area to NHS Route 21 (US 17) in Charleston Urbanized Area in Charleston County.	Total	91.48	0.00	14.80	106.28
			Spartanburg	40.57		5.12	45.69
			Laurens	15.58			15.58
			Newberry	27.76			27.76
			Lexington	3.15			3.15
			Richland	4.37		6.92	11.29
			Lexington			3.62	3.62
			Richland			1.16	1.16
			Lexington	3.54		8.44	11.98
			Calhoun	7.10			7.10
			Lexington	3.08			3.08
			Calhoun	10.34			10.34
			Orangeburg	28.28			28.28
			Dorchester	17.42			17.42
			Berkeley	12.59		4.96	17.55
			Charleston			16.95	16.95
			Total	173.78	0.00	47.17	220.95
PAGE TOTAL				265.26	0.00	61.97	327.23

Revised December 31, 2004

SHEET 02 OF 12
STATE South Carolina
NATIONAL HIGHWAY SYSTEM

Route Number		Route Description and Termini	County	Mileage			Total
NHS RT. #	State or Local			Rural	Small Urban	Urban- ized	
3	I-77	From NHS Rt. 2 (I-26) in Lexington County, Columbia Urbanized Area, northerly via Rock Hill Urbanized Area to NC State Line in York County.	Lexington	9.47		3.16	3.16
			Richland	21.46		16.80	26.27
			Fairfield	18.82			21.46
			Chester	12.25		9.09	18.82
			York	62.00	0.00	29.05	21.34
Total						91.05	
4	I-20	From Georgia State Line in Aiken County, N. Augusta Urbanized Area, northeasterly via Columbia Urbanized Area to NHS Rt. 5 (I-95) in Florence County.	Aiken	29.20		7.97	37.17
			Lexington	25.64		1.31	26.95
			Richland	4.57		15.86	20.43
			Kershaw	21.26			21.26
			Lee	20.33			20.33
5	I-95	From Georgia State Line in Jasper County northerly via Florence Urbanized Area to the NC State Line in Dillon County.	Darlington	13.01			13.01
			Florence	2.36			2.36
			Total	116.37	0.00	25.14	141.51
			Jasper	33.90			33.90
			Hampton	6.61			6.61
			Colleton	28.30			28.30
			Dorchester	16.04			16.04
			Orangeburg	14.84			14.84
			Clarendon	34.22			34.22
			Sumter	12.86			12.86
			Florence	17.58		2.06	19.64
			Darlington	0.94		0.63	1.57
			Florence	7.01			7.01
			Dillon	23.77			23.77
			Total	196.07	0.00	2.69	198.76
PAGE TOTAL			374.44	0.00	56.88	431.32	

Revised December 31, 2004

SHEET 03 OF 12
STATE: South Carolina
NATIONAL HIGHWAY SYSTEM

NHS RT. #	Route Number State or Local	Route Description and Termini	County	Mileage		
				Rural	Small Urban	Urban- ized Total
6 I-185		In Greenville Urbanized Area, Greenville County, from NHS Rt. 7 (I-385) to NHS Rt. 27 (US 29) in Greenville County.	Greenville Total	11.58 11.58	0.00	4.82 16.40
7 I-385		From NHS Rt. 2 (I-26) in Laurens County to NHS Rt. 43 (US 385 Spur) in Greenville Urbanized Area in Greenville County.	Laurens Greenville Total	22.62 4.53 27.15	0.00	15.01 15.01 42.16
8 I-585		In Spartanburg Urbanized Area, Spartanburg County, from NHS Rt. 29 (SC 85) to NHS Rt. 39 (US 176) in Spartanburg County.	Spartanburg Total	0.00	0.00	2.25 2.25
9 I-126		In Columbia Urbanized Area, Richland County, from NHS Rt. 2 (I-26) to NHS Rt. 58 (US 21) in Richland County.	Richland Total	0.00	0.00	3.68 3.68
10 I-526		In Charleston Urbanized Area, Charleston County, from near NHS Rt. 21 (US 17) to NHS Rt. 21 (US 17) in Charleston County.	Charleston Berkeley Charleston Total	3.82 0.00 3.82	0.00	10.49 0.77 4.48 19.56
PAGE TOTAL				42.55	0.00	41.50 84.05

Revised December 31, 2004

SHEET 04 OF 12
STATE- South Carolina
NATIONAL HIGHWAY SYSTEM

NHS RT.#	Route Number State or Local	Route Description and Termini	County	Mileage		
				Rural	Small Urban	Urban- ized Total
11	US 76, US 29 BUS, US 76, US 29, US 76, US 178	From NHS Rt. 1 (I-85) in Anderson County via Anderson Urbanized area to NHS Rt. 13 (US 25) in Greenwood County.	Anderson Abbeville Greenwood Total	15.90 7.28 7.43 30.61		10.78 26.68 7.28 7.43 41.39
12	SC 72, US 221, SC 72, SC 56 BUS, US 76, SC 72 BUS, SC 72, US 176, SC 72, US 321, SC 9	From Georgia State Line in Abbeville County to NHS Rt. 13 (US 25) in Greenwood Urban Area, thence from another point on NHS Rt. 13 (US 25) in Greenwood Urban Area easterly via Clinton Urban Area and Chester Urban Area to NHS Rt. 3 (I-77) in Chester County.	Abbeville Greenwood Laurens Newberry Union Chester Total	22.75 11.09 27.39 3.65 12.90 24.76 102.54	3.17 0.42 5.95 1.75 11.29 0.00	25.92 11.51 33.34 3.65 12.90 26.51 113.83
13	SC 52 SC 52, L-520, US 25	From Georgia State Line in Aiken County in N. Augusta Urbanized Area northerly via Greenwood Urban Area and Greenville Urbanized Area to the NC State Line in Greenville County.	Aiken Edgefield Greenwood Laurens Greenville Total	0.80 32.24 30.95 8.88 36.01 108.88		8.82 32.24 36.99 8.88 53.89 140.82
14	US 178, US 178 CONN, US 378, US 1, US 378, SC 12, SC 12 COUP, SC 12, US 1, US 76, US 378, US 301, US 378, US 501	From NHS Rt. 13 (US 25) in Greenwood County easterly via Columbia Urbanized Area, Sumter Urbanized Area, Lake City U Urban Area and Conway Urban Area to the end (US 17 BUS) in Myrtle Beach Urbanized Area in Horry County.	Greenwood Saluda Lexington Richland Sumter Clarendon Florence Williamsburg Florence Marion Horry Total	11.43 27.82 21.27 16.71 20.25 7.94 4.79 1.88 26.49 12.49 14.85 165.92		11.43 27.82 26.91 28.46 34.20 7.94 4.79 1.88 26.49 12.49 25.54 207.95
PAGE TOTAL				407.95	25.24	70.80 503.99

Revised December 31, 2004

SHEET 05 OF 12
STATE: South Carolina
NATIONAL HIGHWAY SYSTEM

NHS Rt. #	Route Number State or Local	Route Description and Termini	County	Mileage		
				Rural	Small Urban	Urban- ized Total
15	US 1, SC 19	From Georgia State Line in Aiken County, N. Augusta Urbanized Area, easterly to NHS Rt. 16 (SC 118), thence from another point on NHS Rt. 16 (SC 118) northerly to NHS Rt. 13 (US 25) in Edgefield County.	Aiken Edgefield Total	10.06 4.30 14.36	0.00	12.51 4.30 26.87
16	SC 118, L-2, SC 302 CONN, US 78, US 21, US 78	From NHS Rt. 15 (US 1) in Aiken County, N. Augusta Urbanized Area easterly to NHS Rt. 5 (I-95) in Dorchester County.	Aiken Barnwell Barnberg Orangeburg Dorchester Total	17.34 16.15 23.73 8.99 6.61 72.82	0.00	6.87 16.15 23.73 8.99 6.61 79.69
17	US 301, US 278, US 301	From Georgia State Line in Allendale County to NHS Rt. 18 (US 321) in Barnberg County.	Allendale Barnberg Total	23.57 0.29 23.86	0.00	23.57 0.29 23.86
18	US 321, US 21	From NHS Rt. 17 (US 321) in Barnberg County northerly to NHS Rt. 2 (I-26) in the Columbia Urbanized Area in Lexington County.	Barnberg Orangeburg Lexington Total	20.18 20.70 15.50 56.38	0.00	20.18 20.70 18.29 59.17
19	US 17	From Georgia State Line near Savannah, Georgia to NHS Rt. 5 (I-95) in Jasper County.	Jasper Total	13.05 13.05	0.00	13.05 13.05
20	SC 802, SC 280, US 21	From Marine Corps Recruiting Depot in Beaufort Urban Area northerly to NHS Rt. 21 (US 17) in Beaufort County.	Beaufort Total	13.67 13.67	3.97 3.97	17.64 17.64
PAGE TOTAL				194.14	3.97	22.17 220.28

Revised December 31, 2004

SHEET 08 OF 12
STATE: South Carolina
NATIONAL HIGHWAY SYSTEM

NHS RT. #	Route Number State or Local	Route Description and Termini	County	Mileage		
				Rural	Small Urban	Urban-ized Total
21	US 17	From NHS Rt. 5 (I-95) in Jasper County via Charleston Urbanized Area, Georgetown Urban Area and Myrtle Beach Urbanized Area to the NC State Line in Horry County.	Jasper Beaufort Colleton Charleston Georgetown Horry Total	1.72 12.65 17.31 55.03 28.99 8.60 124.30		1.72 12.65 17.31 74.72 38.02 35.88 180.30
22	US 17 ALT, US 521, US 301, US 521, US 15	From NHS Rt. 21 (US 17) in Georgetown County, Georgetown Urban Area northerly to NHS Rt. 14 (US 76) in Sumter Urbanized Area in Sumter County.	Georgetown Williamsburg Clarendon Sumter Total	15.31 31.15 20.20 7.00 74.16	3.31	19.12 31.15 20.20 12.13 82.60
23	US 52 CONN, US 52, US 17 ALT, US 52, US 15, US 52, US 1	From NHS Rt. 2 (I-26) in Charleston County, Charleston Urbanized Area, northerly via Moncks Corner Urban Area, Lake City Urban Area, Florence Urbanized Area, Darlington Urban Area and Cheraw Urban Area to the NC State Line in Marlboro County.	Charleston Berkeley Williamsburg Florence Darlington Chesterfield Marlboro Total	32.51 29.05 23.42 21.94 12.12 7.71 126.75	3.00 4.02 5.10 0.87 2.70 8.62	3.10 39.53 29.05 30.57 22.81 14.82 7.71 147.59
24	US 20 SPUR, US 76 CONN, US 76 US 52 CONN, US 76	From NHS Rt. 5 (I-95) in the Florence Urbanized Area easterly via Marion Urban and Mullins Urban Area to the NC State Line in Horry County.	Florence Marion Horry Total	7.99 22.27 7.32 37.58	3.76 3.76	17.40 26.03 7.32 50.75
25	L-20, SC 22	From NHS Rt. 5 (I-95) in Florence Urbanized Area southeasterly to NHS Rt. 21 (US 17) in Horry County.	Florence Marion Horry Total	18.05 13.50 40.69 72.24	1.75 0.00	19.80 13.50 40.69 73.99
PAGE TOTAL				435.03	27.59	72.61 535.23

Revised December 31, 2004

SHEET 07 OF 12
STATE: South Carolina
NATIONAL HIGHWAY SYSTEM

NHS RT. #	Route Number State or Local	Route Description and Termini	County	Mileage		
				Rural	Small Urban	Urban- ized Total
26	SC 9	From NHS Rt. 24 (US 76) in Horry County to NHS Rt. 21 (US 17) in Horry County.	Horry Total	38.93 38.93	0.00 0.00	38.93 38.93
27	SC 14, US 29	From NHS Rt. 1 (I-85) northerly to NHS Rt. 6 (I-185) in Greenville Urbanized Area, Greenville County.	Spartanburg Greenville Total	0.03 2.67 2.70	17.74 17.74	0.03 20.41 20.44
28	US 28, SC 110	In Spartanburg Urbanized Area, from NHS Rt. 2 (I-26) to NHS Rt. 1 (I-85) in Spartanburg County.	Spartanburg Total	0.73 0.73	14.31 14.31	15.04 15.04
29	SC 85	From NHS Rt. 1 (I-85) via Spartanburg Urbanized Area to NHS Rt. 1 (I-85) in Spartanburg County.	Spartanburg Total	3.26 3.26	5.34 5.34	8.60 8.60
30	SC 28, US 178 CONN, US 178	In Anderson Urbanized Area, from NHS Rt. 32 (US 29) northerly to NHS Rt. 1 (I-85) in Anderson County.	Anderson Total	0.00 0.00	8.51 8.51	8.51 8.51
31	SC 24	In Anderson Urbanized Area, from NHS Rt. 30 (SC 28 Bypass) to NHS Rt. 11 (US 29 BUS) in Anderson County.	Anderson Total	0.00 0.00	1.88 1.88	1.88 1.88
32	US 29	In Anderson Urbanized Area, from NHS Rt. 30 (SC 28 Bypass) to NHS Rt. 11 (US 76) in Anderson County.	Anderson Total	0.00 0.00	2.13 2.13	2.13 2.13
33	US 521, SC 5, US 21, US 21 BUS, SC 5, SC 198	From NHS Rt. 34 (US 76 BUS) in Sumter Urbanized Area northerly via Camden Urban Area, Lancaster Urban Area, Rock Hill Urbanized Area and York Urban Area to NHS Rt. 1 (I-85) in Cherokee County.	Sumter Kershaw Lancaster York Cherokee Total	14.97 22.70 32.22 27.06 8.84 105.79	4.15 2.07 0.89 7.11	15.79 26.85 34.29 37.75 8.84 123.52
34	US 15, US 15 CONN, US 76 BUS	In Sumter Urbanized Area, from NHS Rt. 22 (US 15) to NHS Rt. 14 (US 76) in Sumter County.	Sumter Total	0.00 0.00	6.90 6.90	6.90 6.90
PAGE TOTAL				151.41	7.11	158.52

151.41 7.11 158.52

Revised December 31, 2004

SHEET 08 OF 12
STATE: South Carolina
NATIONAL HIGHWAY SYSTEM

NHS RT. #	Route Number State or Local	Route Description and Termini	County	Mileage		
				Rural	Urban- Small	Urban- Total
35	US 76 BUS	In Sumter Urbanized Area, from NHS Rt. 22 (US 15) to NHS Rt. 14 (US 76) in Sumter County.	Sumter Total	0.00	0.00	1.81 1.81
36	SC 122	In Rock Hill Urbanized Area, from NHS Rt. 33 (SC 5) easterly to NHS Rt. 3 (I-77) in York County.	York Total	0.00	0.00	3.65 3.65
37	SC 901, SC 161	In Rock Hill Urbanized Area, from NHS Rt. 33 (SC 5) northwesterly and easterly to NHS Rt. 3 (I-77) in York County.	York Total	0.00	0.00	9.04 9.04
38	US 176	In Spartanburg Urbanized Area, from NHS Rt. 1 (I-85) to NHS Rt. 8 (I-585) in Spartanburg County.	Spartanburg Total	0.00	0.00	1.55 1.55
39	US 176, I-1226, SC 295, SC 296	In Spartanburg Urbanized Area, from NHS Rt. 8 (I-585) to NHS Rt. 2 (I-26) in Spartanburg County.	Spartanburg Total	0.00	0.00	15.02 15.02
40	US 123, SC 183, US 276	In Greenville Urbanized Area, from NHS Rt. 13 (US 25) northerly to NHS Rt. 13 (US 25) in Greenville County.	Greenville Total	0.00	0.00	10.67 10.67
41	US 276	In Greenville Urbanized Area, from NHS Rt. 27 (US 29) to NHS Rt. 7 (I-385) in Greenville County.	Greenville Total	0.00	0.00	10.45 10.45
42	SC 291, SC 253	In Greenville Urbanized Area, from NHS Rt. 1 (I-85) to NHS Rt. 40 (US 276) in Greenville County.	Greenville Total	0.00	0.00	9.45 9.45
PAGE TOTAL				0.00	0.00	61.64 61.64

Revised December 31, 2004

SHEET 09 OF 12
STATE: South Carolina
NATIONAL HIGHWAY SYSTEM

NHIS RT. #	Route Number State or Local	Route Description and Termini	County	Mileage		
				Rural	Small Urban	Urban- ized Total
43	US 385 SPUR, SC 183 COUP, SC 183	In Greenville Urbanized Area, from NHS Rt. 7 (I-385) to NHS Rt. 40 (US 276) in Greenville County.	Greenville Total	0.00	0.00	1.60 1.60
44	S-43, S-29	In Charleston Urbanized Area, from NHS Rt. 23 (US 52) to the Naval Weapons Station in Berkeley County.	Charleston Berkeley Total	0.00	0.00	0.36 6.21 6.57
45	S-13, US 52, S-1342, S-13	In Charleston Urbanized Area from the South Atlantic Outport to the Charleston Airforce Base in Charleston County, with connection to NHS Rt. 2 (I-26).	Charleston Total	0.00	0.00	3.90 3.90
46	SC 61, SC 171, SC 7, S-1025, S-32, S-86	In Charleston Urbanized Area, from NHS Rt. 21 (US 17) to the Charleston Naval Complex in Charleston County.	Charleston Total	0.00	0.00	8.10 8.10
47	SC 30, S-404, S-46 S-404, L-404	In Charleston Urbanized Area, from NHS Rt. 21 (US 17) to Intermodal Connector Rt. 87 (S-1022) @ Union Pier Terminal in Charleston County.	Charleston Total	0.00	0.00	1.85 1.85
48	SC 30, L-30	In Charleston Urbanized Area, from NHS Rt. 47 (SC 30) to NHS Rt. 21 (US 17) in Charleston County.	Charleston Total	0.00	0.00	8.77 8.77
49	SC 61	In Charleston Urbanized Area, from NHS Rt. 48 (SC 30) to NHS Rt. 21 (US 17) in Charleston County.	Charleston Total	0.00	0.00	0.80 0.80
50	S-97	In Charleston Urbanized Area, from NHS Rt. 10 (I-526) to Ports Authority in Charleston County.	Charleston Total	0.00	0.00	0.82 0.82
51	S-529	In Charleston Urbanized Area, from NHS Rt. 23 (US 52) to Polaris Missile Facility in Berkeley County.	Berkeley Total	0.00	0.00	2.14 2.14
52	US 78	In Charleston Urbanized Area, from NHS Rt. 2 (I-26) to NHS Rt. 23 (US 52) in Charleston County.	Charleston Total	0.00	0.00	2.22 2.22
PAGE TOTAL				0.00	0.00	36.77 36.77

Revised December 31, 2004

SHEET 10 OF 12
STATE: South Carolina
NATIONAL HIGHWAY SYSTEM

Route Number NHS RT. #	State or Local	Route Description and Termini	County	Mileage		
				Rural	Small Urban	Urban- ized Total
53	(Absorbed by NHS #3)					
54	(Absorbed by NHS #3)					
55	SC 12 SC 12 SPUR	In Columbia Urbanized Area, from NHS Rt. 14 (US 1) to NHS Rt. 54 (I-77) at Fort Jackson in Richland County.	Richland Total	0.00	0.00	4.22 4.22
56	SC 277	In Columbia Urbanized Area, from NHS Rt. 58 (US 76) to NHS Rt. 3 (I-77) in Richland County.	Richland Total	0.00	0.00	8.14 8.14
57	US 21	In Columbia Urbanized Area, from NHS Rt. 14 (SC 12) to NHS Rt. 9 (I-126) in Richland County.	Richland Total	0.00	0.00	0.60 0.60
58	US 21, US 76	In Columbia Urbanized Area, from NHS Rt. 9 (I-126) to NHS Rt. 14 (SC 12) in Richland County.	Richland Total	0.00	0.00	1.20 1.20
59	SC 302	In Columbia Urbanized Area, from NHS Rt. 2 (I-26) to Columbia Metropolitan Airport in Lexington County.	Lexington Total	0.00	0.00	1.01 1.01
60	SC 81, US 29 BUS	In Anderson Urbanized Area, from NHS Rt. 32 (US 29) to NHS Rt. 11 (US 76) in Anderson County.	Anderson Total	0.00	0.00	1.71 1.71
PAGE TOTAL				0.00	0.00	16.88

Revised December 31, 2004

SHEET 11 OF 12

STATE: South Carolina
NATIONAL HIGHWAY SYSTEM

NHS RT. #	Route Number State or Local	Route Description and Termini	County	Mileage		
				Rural	Small Urban	Urban- ized Total
61 S-58		In Charleston Urbanized Area, from NHS Rt. 10(I-526) to NHS Rt. 45(S-13) in Charleston County.	Charleston Total	0.00	0.00	0.83 0.83
65 US 76, US 123		From NHS Rt. 1 (I-95) in Anderson County northerly and easterly via Clemson Urban Area to NHS Rt. 13 (US 25) in Greenville Urbanized Area, Greenville County.	Anderson Pickens Greenville Total	8.20 16.09 24.29	0.23 9.23 9.23	8.20 26.26 2.39 36.85
67 US 301, US 21 BUS, US 601		From NHS Rt. 18 (US 321) in Bamberg County northerly via Orangeburg Urban Area to NHS Rt. 2 (I-26) in Orangeburg County.	Bamberg Orangeburg Total	18.83 16.16 34.99	4.37 4.37	18.83 21.03 39.86
68 US 601		From NHS Rt. 2 (I-26) in Orangeburg County northerly to NHS Rt. 4 (I-20) in Kershaw County.	Orangeburg Calhoun Richland Kershaw Total	2.66 15.75 23.71 7.86 49.98	0.00	2.66 15.75 23.71 7.86 49.98
70 US 278, US 278 BUS		From NHS Rt. 5 (I-95) in Jasper County easterly to Hilton Head Urban Area looping back to NHS Rt. 70 (US 278) in Beaufort County.	Jasper Beaufort Total	5.66 13.76 19.42	15.97 15.97	5.66 29.73 35.39
71 US 78		From NHS Rt. 5 (I-95) in Dorchester County easterly to NHS Rt. 2 (I-26) in Charleston Urbanized Area, Charleston County.	Dorchester Charleston Dorchester Charleston Total	26.68 26.68	3.30 0.38 0.08 0.00 9.16	29.98 0.38 0.08 5.40 35.84

PAGE TOTAL

155.36 30.07 13.32 198.75

Revised December 31, 2004

SHEET 12 OF 12
STATE South Carolina
NATIONAL HIGHWAY SYSTEM

NHS RT. #	Route Number State or Local	Route Description and Termini	County	Mileage		
				Rural	Small Urban	Urban- ized Total
72	US 1, SC 19	In N. Augusta Urbanized Area, Aiken County, from NHS Rt. 16 (SC 118) easterly and northerly to NHS Rt. 16 (SC 118)	Aiken Total	0.00	0.00	4.66 4.66
73	SC 763, US 76 BUS	In Sumter Urbanized Area, Sumter County, from NHS Rt. 34 (US 15/521 Conn) to NHS Rt. 22 (US 15).	Sumter Total	0.00	0.00	1.38 1.38
74	SC 171	In Charleston Urbanized Area, Charleston County, from the end at Folly Beach northerly to NHS Rt. 48 (SC 30).	Charleston Total	0.00	0.00	6.88 6.88
75	SC 517	In Charleston Urbanized Area, Charleston County, from the end at Isle of Palms northerly to NHS Rt. 21 (US 17).	Charleston Total	0.00	0.00	3.84 3.84
78	SC 441	From NHS Rt. 12 (US 76) in Sumter Urbanized Area, Sumter County northerly to NHS Rt. 33 (US 521) in Sumter County.	Sumter Total	2.88 2.88	0.00	3.47 3.47
79	US 221	In Spartanburg Urbanized Area, in Spartanburg County, from NHS Rt. 8 (I-585) to NHS Rt. 1 (I-85).	Spartanburg Total	0.00	0.00	4.01 4.01
PAGE TOTAL				2.88	0.00	24.24
NHS SUB-TOTAL				2029.02	93.98	546.21
						27.12
						2669.21

Revised December 31, 2004

STATE OF SOUTH CAROLINA
MAJOR INTERMODAL CONNECTIONS

NHS Rt. #	Route Number		Route Description and Termini	County	Rural	Mileage	
	State or Local					Small Urban	Urban- ized Total
80	L-4486		Charleston International Airport conn. in the Charleston Urbanized Area, from NHS #10 (I-526) to a local road (Michaux Flow), in Charleston County	Charleston		0.74	0.74
81	S-378, L-378		Columbia Metropolitan Airport conn., in the Columbia Urbanized Area, from NHS #59 (SC 302) to S-1500 in Lexington County	Total Lexington		0.74	0.74
82	L-2854		Myrtle Beach Jet Port conn., in Myrtle Beach Urbanized Area, Harrelson Rd. from NHS #21 (US 17) to S-15 in Horry County	Total Horry		1.28	1.28
83	US 52, L-188		Charleston Amtrak conn., in the Charleston Urbanized Area, from NHS #10 (I-526) southerly and northerly to the Amtrak Station in Charleston County	Total Charleston		1.28	1.28
84	S-62, S-1411		CSX Rail Freight Facility conn., in Charleston Urbanized Area, from NHS #2 (I-26) southwesterly and southerly to freight yard in Charleston County	Total Charleston		1.69	1.69
85	S-62, S-1464		Norfolk-Southern Rail Freight Facility conn., in Charleston Urbanized Area, from NHS #2 (I-26) northeasterly and southerly to freight yard in Charleston County	Total Charleston		0.77	0.77
86	S-86 (Removed) Facility closed		Norfolk-Southern Rail Freight Facility conn., in Greenville Urbanized Area, from NHS #13 (US 25) to S-20 in Greenville County	Total Greenville		0.92	0.92
87	L-2387, S-2387, S-1022, S-662, US 52 Spur, S-49		Columbus Street/Union Pier terminal conn., in Charleston Urbanized Area, from S-396 northerly and northwesterly to NHS #2 (I-26) in Charleston County	Total Charleston		0.00	0.00
88	US 1		Greyhound Bus conn., in Columbia Urbanized Area, from NHS #14 (US 76) westerly to bus terminal in Richland County westerly to bus terminal in Richland	Total Richland		0.00	0.00
				Total		2.78	2.78
				Total		0.44	0.44

Revised December 31, 2004

STATE: South Carolina
MAJOR INTERMODAL CONNECTIONS

Route Number		Route Description and Termini	County	Rural	Mileage		Total
NHS Rt. #	State or Local				Small Urban	Urban- ized	
89	SC 101	Greenville-Spartanburg Regional Airport conn.(Freight Facility), from NHS Rt. 1(I-85), northerly to Gateway Dr, terminal entrance.	Spartanburg	2.81		0.33	3.14
90	S-103, S-106	Port of Georgetown conn., from NHS Rt. 21(US-17) southerly thence northwesterly to NHS Rt. 21(US-17)	Total	2.81		0.33	3.14
91	SC 302	UPS/Fed-X Freight Facility conn, in Columbia Urbanized Area, from NHS Rt. 59(SC 302) & Intermodal Connection Rt. 81(S-378) southerly to freight entrance	Georgetown Total		0.60 0.60		0.60 0.60
			Lexington Total			1.00 1.00	1.00 1.00
INTERMODAL CONNECTIONS TOTAL				2.81	0.60	11.17	14.58
NHS SUB TOTAL				2029.02	93.98	546.21	2669.21
GRAND TOTAL				2031.83	94.58	557.38	2683.79

Revised December 31, 2004

STATE OF SOUTH CAROLINA
Outdoor Advertising Nonconforming Sign Upgrade Agreement (Pilot Project)
SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION

****This document must be typed and completed in its entirety****

****Agreement must be filed with Clerk of Court/Deeds Office***

This Agreement made by and between the SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION (SCDOT), _____, (Sign Owner).

This Agreement is hereby made to upgrade one wooden or I-beam nonconforming sign adjacent to an Interstate highway, in exchange for the removal of (2) or more nonconforming signs of similar or larger size, at the locations herein described, in accordance with the Outdoor Advertising Nonconforming Sign Upgrade "Pilot" Project dated September 15, 2008, which Pilot Project is made a part of this Agreement and incorporated herein by reference. The Sign Owner will document all nonconforming signs identified as candidates for participation in the Pilot Project in this Agreement,

1. **APPLICANT**

Name of Applicant: _____ **Owner ID #:** _____

_____	_____	_____	_____
Address	City	State	Zip Code

2. **NONCONFORMING SIGN TO BE UPGRADED:**

a) Permit (Number) to be Upgraded: _____

Interstate: _____ (North, South, East, West) County _____ Milepost _____

b) Land Owner: _____

_____	_____	_____	_____
Address	City	State	Zip Code

c) Property Tax Map Number: _____

d) Appraised value of upgraded sign: \$ _____
(Appraiser selected only from SCDOT Approved Appraiser List).

e) Appraised value of leasehold of the real estate interest: \$ _____

f) Appraiser's name: _____

g) Date of appraisal: _____

h) Planned upgrade date: _____

Upgrade - Land Owner's Name **(print)**

Land Owner's Signature

Date of Signature

3. **NONCONFORMING SIGN(S) TO BE REMOVED**

a) **Permit (Number) 1 to be Removed:** _____
Highway: _____ (North, South, East, West) County _____ Milepost _____
Land Owner Name: _____

Address _____ City _____ State _____ Zip Code _____

Planned removal date: _____

Compensation, if any paid to site owner: \$ _____

Removed -Land Owner's Name Land Owner's Signature Date of Signature

b) **Permit (Number) 2 to be Removed:** _____
Highway: _____ (North, South, East, West) County _____ Milepost _____
Land Owner Name: _____

Address _____ City _____ State _____ Zip Code _____

Planned removal date: _____

Compensation, if any paid to site owner: \$ _____

Removed -Land Owner's Name Land Owner's Signature Date of Signature

c) **Permit (Number) 3 to be Removed:** _____
Highway: _____ (North, South, East, West) County _____ Milepost _____
Land Owner 3 Name: _____

Address _____ City _____ State _____ Zip Code _____

Planned removal date: _____

Compensation, if any paid to site owner: \$ _____

Removed - Land Owner's Name Land Owner's Signature Date of Signature

d) **Permit (Number) 4 to be Removed:** _____
Highway: _____ (North, South, East, West) County _____ Milepost _____
Land Owner Name: _____

Address _____ City _____ State _____ Zip Code _____

Planned removal date: _____

Compensation, if any paid to site owner: \$ _____

Removed - Land Owner's Name Land Owner's Signature Date of Signature

4. **APPLICATION COSTS:**

a) Permit Participation Fee (\$200.00) Remitted Herewith: \$ _____

- b) An annual renewal fee of \$100.00 will be assessed for the Pilot's 3 year duration.

5. **REQUIRED PHOTOGRAPHS:**

Please provide color photographs (5 x 7) with the permit number of each sign listed above (upgraded and all removed signs). Photos shall be taken from the edge of right of way.

6. **TERM and TERMINATION:**

The Pilot will have a term of three (3) years and the Pilot criteria and enforcement will be subject to FHWA review for the three (3) year duration. The Pilot is subject to termination without cause at the sole discretion of SCDOT upon thirty (30) days notice to sign owner.

7. **GENERAL PROVISIONS:**

a) Upgraded Nonconforming Sign:

- 1) Sign limited to wooden or I-beam nonconforming signs located on I-26 and I-95.
- 2) Minimum Size: The minimum size of nonconforming advertising signs eligible for the program or eligible to be upgraded is 350 square feet.
- 3) Maximum Size: Maximum size of upgraded nonconforming sign is 672 square feet – no cutouts or extensions allowed.
- 4) Upon submission of this form, SCDOT staff will conduct an on-site review of each upgrade location.
- 5) If any nonconforming sign is upgraded before SCDOT's final approval, the upgraded nonconforming sign becomes illegal and must be removed at the owner's expense upon notification from SCDOT.
- 6) Upgraded at same location – same mile marker – no shifting.
- 7) Material: Upgrades to nonconforming signs shall be constructed on monopole.
- 8) Types: Sign is limited to: single face, single face back-to-back, and single face V type sign.
- 9) CEVMS: LED, Tri-vision, mechanical electronic changeable message signs, stacked and side by side signs are prohibited.
- 10) Lighting: Lighting configuration will remain the same on upgraded nonconforming advertising signs. No lights for any direction of an upgraded nonconforming advertising sign may be added, i.e., upgraded nonconforming advertising may not be lit unless the original direction was previously lit.
- 11) Height: Upgraded interstate preapproved nonconforming sign may not exceed the height of 30 feet as measure from the center of the travel way to the lowest edge of the sign face.
- 12) Sign Status: Sign Owner agrees that the upgrade of the sign shall not change its nonconforming status. The structure shall remain nonconforming after the upgrade unless the upgraded sign meets current regulations and law.
- 13) Valuation: The parties agree that just compensation value for the (1) original nonconforming sign structure, and (2) any leasehold interest in the real property where the sign is located, will be the fair market value as determined by an appraiser identified on the SCDOT's Approved Appraiser List. This means that if the sign is acquired at a later date for any Federal or state project, the just compensation value for the sign structure and any leasehold interest in the real estate to the sign owner or the landowner will be that established at the time of application by one of SCDOT's approved appraisers. All appraisal costs will be paid by the sign owner. The sign owner and/or the landowner have the ability to choose one of the appraisers on the SCDOT Approved Appraisers List. The appraiser shall provide a copy of the appraisal to SCDOT. SCDOT will review and approval all appraisals and establish a value.

The sign owner and landowner waive any further compensation for the sign or lease for the real property and/or relocation assistance.

b) Nonconforming Removed Signs:

- 1) The nonconforming signs shall be removed by the sign owner or his agent and must be completely removed prior to any modifications being performed on the upgraded nonconforming sign located on the interstate.
- 2) Removal of the nonconforming signs above is voluntary and at the expense of the sign owner. The sign owner is responsible for any damages to the landowner associated with the removal.
- 3) Removal of two (2) to four (4) nonconforming signs is required depending on upgraded sign.
- 4) Removal includes all materials including foundation.
- 5) Removal from NHS routes or scenic byways upon approval of SCDOT.
- 6) Removed sign does not include the upgraded sign.

c) Hold Harmless:

The sign owner and landowner agrees to hold SCDOT and the State of South Carolina harmless from all causes of action, direct or indirect, resulting from the voluntary removal of the nonconforming sign and upgrade of nonconforming sign on the interstate.

d) Filing: This Agreement will reference the Property Tax Map Number for the land where the nonconforming upgraded sign site is located. The Agreement will be filed with the Office of Deeds in the county where the upgraded sign is located and within the official records of the SCDOT.

e) Violations: Signs which violate Highway Advertising Control Act, 57-25-110, et seq., (HACA) cannot participate in Pilot. Sign Companies that are in violation of HACA cannot participate in new upgrades.

f) Discretion: SCDOT has the right to refuse the acceptance or participation into the Pilot of any nonconforming sign (for upgrade or removal) at its sole discretion.

g) Successors and Assigns. SCDOT, Landowner of Upgraded sign and Sign Owner each binds itself, its successors, and assigns to the other party with respect to these requirements.

h) Entire Agreement. This agreement with referenced Pilot Project constitutes the entire agreement between the parties. The contract is to be interpreted under the laws of the State of South Carolina.

Signature of Company Official	Title	Date	Telephone
FOR SCDOT USE ONLY		Approved appraised value of upgraded sign: \$ _____ Appraised value of leasehold of the real estate interest: \$ _____	
Approved – Denied	Print Name	Date	
Signature			

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

PROBATE

Personally appeared before me _____ and made oath that _____
saw the within named _____ SIGN OWNER, by its duly authorized
representative, _____ sign, seal with its corporate seal, and as its act and deed
delivered the within written instrument, and that _____ with _____
witnessed the execution thereof.

SWORN to before me this _____
day of _____ 20_____

_____(L.S.)

Notary Public for South Carolina

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

PROBATE

Personally appeared before me _____ and made oath that _____
saw the within named _____, LANDOWNER OF UPGRADED SIGN,
for and as its act and deed delivered the within written instrument, and that _____ with _____
witnessed the execution thereof.

SWORN to before me this _____
day of _____ 20_____

_____(L.S.)

Notary Public for South Carolina

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

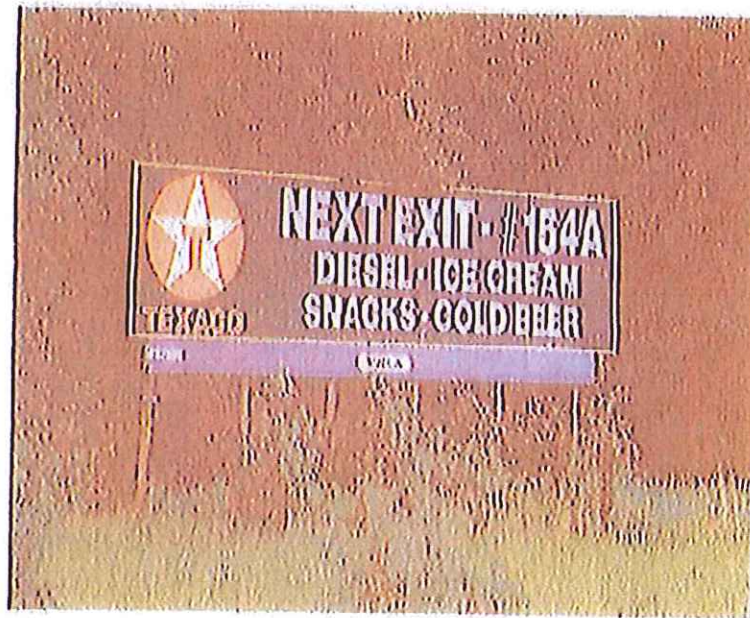
PROBATE

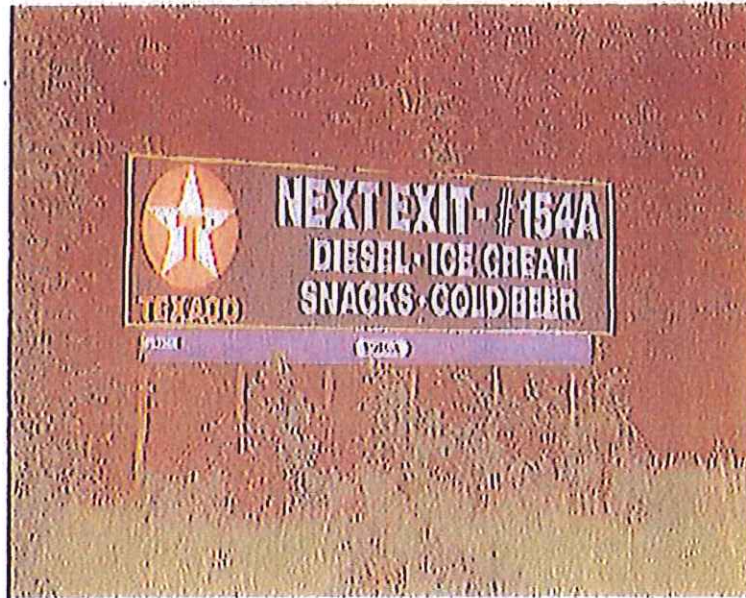
Personally appeared before me _____ and made oath that _____
saw the within named SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION, by its duly
authorized officer, KEITH C. MELVIN, Director of Outdoor Advertising, sign, seal with its corporate
seal, and as its act and deed delivered the within written instrument, and that _____ with _____
witnessed the execution thereof.

SWORN to before me this _____
day of _____ 20_____

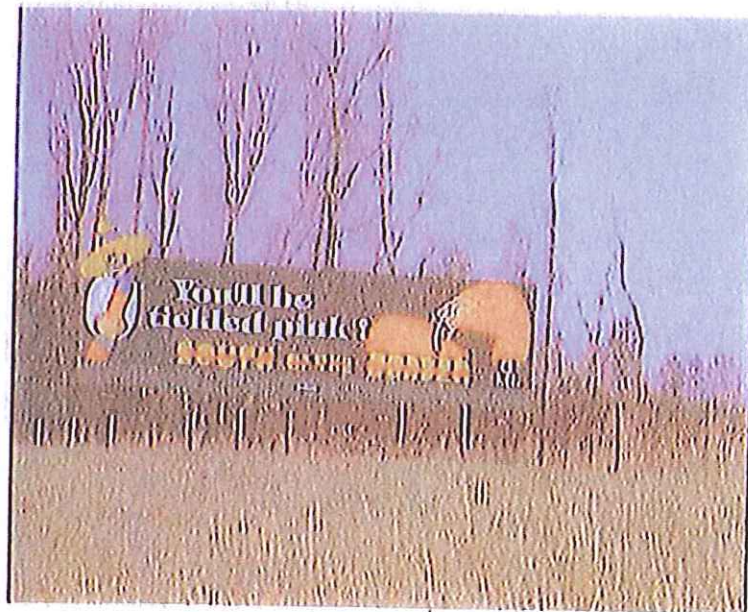
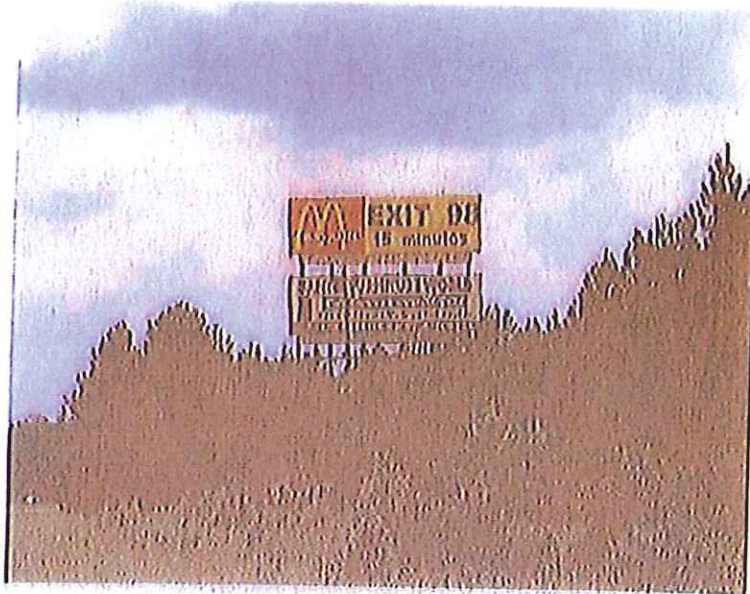
_____(L.S.)

Notary Public for South Carolina











South Carolina
Department of Transportation

October 3, 2006

ADAMS OUTDOOR ADVERTISING (176)
1385 ALICE DRIVE
FLORENCE, SC 29505

RE: Two For One Non-conforming Sign Upgrade Pilot Project

Dear Sign Owner:

The South Carolina Department of Transportation (SCDOT) in partnership with the Federal Highway Administration (FHWA) has begun the first steps in putting together a Pilot Project to address non-conforming signs on Interstate routes (I-26 and I-95). Federal and state law currently limits the amount of maintenance that can occur on a non-conforming sign. The result over the years has been the continued life of numerous unsightly large wooden signs on some of our most traveled roadways.

In order to make this Pilot Project a success, SCDOT proposes a project that would allow sign owners the opportunity to upgrade One (1) nonconforming sign on the Interstate highway system (I-26 and I-95) in exchange for the removal of Two (2) nonconforming signs. Removal includes removing all material including the foundation. Upgrade is defined as:

- (1) Changing wooded or I-beam support poles and replacing them with a steel monopole at the same location as the existing structure;
- (2) Changing the sign face to 822 square feet or less. The Pilot Project will be open to all sign owners who are not under violation. Participation in this project is not mandatory. Participation in the Pilot Project shall be limited to non-conforming signs on I-26 and I-95. Upgrade shall not include stacked units.

We would like to solicit your comments regarding this Pilot Project. Please respond to the short questions below and either fax (803) 737-2023, email ODAhelp@scdot.org, or mail your responses back to the outdoor advertising office by November 1, 2006.

Do you think this Pilot Project would benefit the state of SC? ☒ YES ☐ NO

Would you like the opportunity to participate in this project? ☒ YES ☐ NO

Would you encourage others to participate in this project? ☒ YES ☐ NO

Would you discourage a Pilot Project such as this? ☐ YES ☒ NO

Thanks in advance for your participation in this survey.

Handwritten signature: Keith C. Melvin
10/19/06

Keith C. Melvin
Director of Outdoor Advertising

cc: District Outdoor Advertising Coordinators
File: ODA/KCM

Per: Office Box 101
COLUMBIA, SOUTH CAROLINA 29202-0101

Phone: (803) 737-2314
Fax: (803) 737-2675

AN EQUAL OPPORTUNITY/
AFFIRMATIVE ACTION EMPLOYER



March 14, 2005

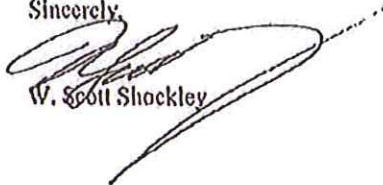
Keith C. Melvin
Director of Outdoor Advertising
SCDOT
PO Box 191
Columbia, SC 29202-0191

RE: Nonconforming Sign Upgrade Project

Dear Keith,

Please be advised that the OAASC endorses the referenced "pilot" program for the I-26 and I-95 corridors. We appreciate the opportunity to work with SCDOT on this project and we will encourage our members to participate.

Sincerely,



W. Scott Shockley

1221 Atlas Road • Columbia, SC 29209 • (803) 647-0122 • Fax: (803) 647-0840



UPPER
SAVANNAH

Council of Governments

222 Phoenix Street, Suite 200
Post Office Box 1368
Greenwood, South Carolina 29648
Telephone 864-941-8050
Toll-Free 1-800-922-7729
FAX 864-941-8090

October 23, 2006

Mr. Kelth Melvin
Director of Outdoor Advertising
SC Department of Transportation
PO Box 191
Columbia, SC 29202-0191

Dear Mr. Melvin:

The Board of Directors of the Upper Savannah Council of Governments voted to support the SC DOT with the Nonconforming Sign Upgrade Pilot Project at its meeting on October 23, 2006.

We commend you and the Department of Transportation in your efforts to improve the appearance of our roadways in South Carolina.

Sincerely,

Diane Anderson
USCOG Chair

Abbeville • Edgefield • Greenwood • Laurens • McCormick • Saluda



UPPER SAVANNAH

AGENDA
• Upper Savannah
Council of Governments
Development Corporation
Board of Director's Meeting
Monday, October 23, 2006
Supper 6:00 p.m.
Meeting 6:30 p.m.

Council of Governments

222 Phoenix Street, Suite 200
Post Office Box 1366
Greenwood, South Carolina 29648
Telephone 864-941-8050
Toll-Free 1-800-922-7119
FAX 864-941-8050

I. Call to Order

1. Action on August 21, 2006 Minutes

II. Council Business

1. Workforce Development Cluster Study

Workforce Development Administrator Sandra Johnson will ask the Board to consider supporting a cluster study to identify potential employment clusters in the Upper Savannah Workforce region.

2. Transportation

Board will consider the following items:

- a. *Long Range Plan* (submitted for review at the August Board meeting) -- Rick Green, Government Services Director

- b. *Transportation Improvement Plan (TIP) Revisions* (attached) -- Rick Green, Government Services Director

- c. *Outdoor Advertising -- Non-conforming Sign Pilot Project* -- Keith Melvin, DOT Director of Outdoor Advertising, will ask the Board for a letter of support for this pilot project (information attached).

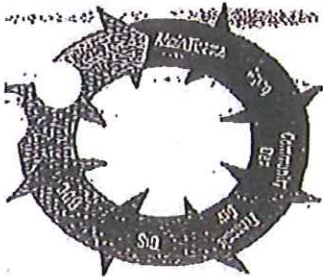
III. 4th Annual Legislative Forum

Roundtable discussion on the upcoming legislative year and the impact of pending legislation on cities and counties. Participants to include members of the regional legislative delegation.

Please come prepared to ask our legislators questions of interest to the citizens of our six-county region.

III. Adjourn

Abbeville • Edgefield • Greenwood • Laurens • McCormick • Saluda



Santee-Lynches Regional Council of Governments
Serving Clarendon, Kershaw, Lee and Sumter Counties

November 27, 2006

Mr. Keith Melvin
Director of Outdoor Advertising
SC Department of Transportation
PO Box 191
Columbia, SC 29202-0191

RE: Nonconforming Sign Upgrade Pilot Project

Dear Mr. Melvin:

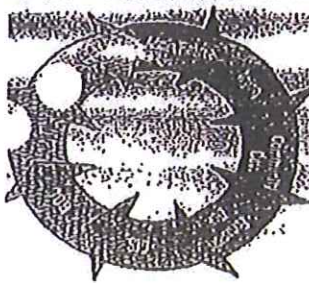
The Board of Directors of the Santee-Lynches Regional Council of Governments voted unanimously to support the SCDOT with the Nonconforming Sign Upgrade Pilot Project at its meeting on Monday, November 6, 2006.

We commend you and the Department of Transportation in your efforts to improve the appearance of our roadways in South Carolina.

Sincerely,


James T. Darby, Jr.
Executive Director

Post Office Drawer 1837 • 36 West Liberty Street • Sumter, South Carolina 29151
Phone: 803-775-7381 • Fax: 803-773-9903 • Website: www.slrcog.state.sc.us



Santee-Lynches Regional Council of Governments
Serving Clarendon, Kershaw, Lee and Sumter Counties

**SANTEE-LYNCHES REGIONAL COUNCIL OF GOVERNMENTS
BOARD OF DIRECTOR'S MEETING
MONDAY, NOVEMBER 6, 2006-- 7:00 P.M.
Santee-Lynches Board Room
36 West Liberty Street, Sumter, South Carolina
AGENDA**

- 6:00 pm *Committee Meetings: Aging/Youth, Audit/Finance, and Housing*
- 7:00 pm I. Welcome & Call to Order Tom Alexander, Chairman
A. Invocation
B. Pledge of Allegiance
C. Introduction of Guests James T. Darby, Jr.
Executive Director
D. Approval of Agenda **MOTION**
E. Approval of Minutes (October 2, 2006) **MOTION**
F. Financial Report Kathy Richardson, Deputy Dir.
- 7:10 pm II. Committee Reports
A. Aging/Youth Committee Dr. Carol Hallgren, Chair
B. Audit/Finance Committee Dr. Bill Painter, Chairman
(Note: Bylaws' revisions deferred to December Meeting)
C. Housing Committee John Lee, Chairman
- 7:20 pm III. New Business
A. South Carolina Economic Forecast and William Gillespie, PhD
Implications of New Tax Law Chief Economist, State of SC
B. SCDOT Pilot Project -- non-conforming Keith Melvin, CPM
Interstate signage SC Department of Transportation
C. Catawba River Resolution Jim Darby
- 7:55 pm IV. Executive Director's Report Jim Darby
- 1:00 pm V. Adjournment

Post Office Drawer 1837 • 36 West Liberty Street • Sumter, South Carolina 29151
Phone: 803-775-7381 • Fax: 803-773-9903 • Website: www.slrcog.state.sc.us

PEE DEE REGIONAL
COUNCIL OF GOVERNMENTS

*Serving Chesterfield, Darlington, Dillon,
Florence, Marion and Marlboro Counties*



December 11, 2006

Mr. Keith Melvin
Director of Outdoor Advertising
SC Department of Transportation
P. O. Box 191
Columbia, SC 29202-0191

Dear Mr. Melvin:

The Executive Committee of the Pee Dee Regional Council of Governments appreciates your presentation and candid discussion on November 13, 2006 regarding the Department's Innovative pilot project to address non-conforming billboards on Interstates 95 and 26. At that meeting, the Executive Committee expressed its support of your efforts to improve the appearance of the State's roadways.

Following your presentation, the Executive Committee has briefed the full Board of Directors on the proposed program. The Board commends the Department on this overall approach and has voted to support your Pilot Project. We trust the Department and the participating sign companies will carefully manage the implementation of the program, including ensuring that the locations to be upgraded and those signs to be removed are chosen in the best interests of all communities involved.

Sincerely,

A handwritten signature in black ink, appearing to read "O'Neal Hamilton".

O'Neal Hamilton
Chairman

Post Office Box 5719 -- Florence, South Carolina 29502
(843) 669-3138 -- FAX (843) 669-0511

AGENDA

EXECUTIVE COMMITTEE MEETING PEE DEE REGIONAL COUNCIL OF GOVERNMENTS

6:00 P.M., MONDAY, NOVEMBER 13, 2006
PDRCOG CONFERENCE CENTER
FLORENCE, SC

1. Meeting Called to Order -- Jasper Eaddy, Vice-Chairman
2. Invocation/Dinner
3. Determination of Quorum
4. Introduction and Recognition of Guests
5. Disposition of Minutes of Last Executive Committee Meeting Held 10/9/06
6. Executive Director's Time -- Johnny B. Brown
 - A. SCDOT Presentation -- Outdoor Signs -- Keith Melvin
 - B. Workforce Development Program Report -- Vickie Tyner
 - C. Engineering Program Report -- Sandy Watford
 - D. RLF Program Report -- Glenn Lane
 - E. EDA and Special Projects Report -- Phil Goff
 - F. Financial Statement for October 2006
7. Vice-Chairman's Time -- Jasper Eaddy
 - A. Old Business
 - B. New Business

Adjourn



Lowcountry Council of Governments

Phone (843) 726-5536
Fax (843) 726-5165
Email: office@lowcountrycog.org

P.O. Box 98
Yemassee, SC 29945-0098
Delivery Address: 634 Campground Rd.
Yemassee, SC 29945-0098
Office at Point South: I-95 Exit 33 at US Hwy. 17

Lowcountry Regional Development Corporation • Lowcountry Area Agency on Aging • Lowcountry Workforce Investment Area

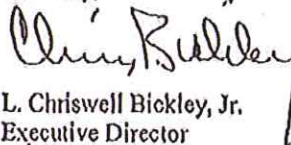
November 7, 2006

Mr. Keith C. Melvin
Director of Outdoor Advertising
SCDOT
P. O. Box 191
Columbia, SC 29202-0191

Dear Keith:

Thanks for coming to our October COG Board meeting and explaining the two-for-one non-conforming billboard upgrade pilot project. The Board approved a resolution endorsing the project and hopes that it will be successful along I-95 in our region.

Sincerely,


L. Chriswell Bickley, Jr.
Executive Director

LCV

Serving Beaufort • Colleton • Hampton • Jasper Counties



Lowcountry Council of Governments

Phone (843) 726-5536
Fax (843) 726-5163
Email: office@lowcountrycog.org

P.O. Box 98
Yemassee, SC 29945-0098
Delivery Address: 634 Campground Rd.
Yemassee, SC 29945-0098
Office at Point South: I-95 Exit 33 at US Hwy. 17

Lowcountry Regional Development Corporation • Lowcountry Area Agency on Aging • Lowcountry Workforce Investment Area

MEMORANDUM

TO: LCOG Board of Directors
FROM: Chris Bickley/Executive Director
DATE: October 20, 2006

The regular monthly LCOG Board meeting will be held at 6:30 p.m. on Thursday, October 26, 2006 at our Point South office. The fellowship period will begin at 6:00 p.m. Please use the enclosed proxy if you are unable to attend.

Revised Agenda

I. Call to Order.

1. Pledge of Allegiance
2. Invocation
3. Introduction of Guests and Staff
4. Action on September 28, 2006 Minutes (Enclosed)
5. Proxies

II. Presentation.

1. FY05-06 Agency Audit - L. R. Leaphart, Jr. and Leslie Kelley.
(McGregor & Company, our Independent auditors, will present the COG audit for the fiscal year ending June 30, 2006. This is their first year of a three-year engagement.)
2. SCDOT Interstate Billboard Pilot Project - Keith C. Melvin.
(The SCDOT Director of Outdoor Advertising will brief you on and solicit your endorsement of a pilot project to upgrade non-confirming billboards along I-95.)

III. Old Business.

1. New EDA Program Requirements - Chris Bickley.
(Staff will update you on this matter discussed at last month's meeting.)

IV. New Business.

1. HOME Affordable Housing Consortium Projects - Barbara Johnson.
(Staff will present the first round of affordable housing projects for your approval, as well as designation of two CHDOs (Community Housing Development Organization). These come as recommendations from the Consortium Advisory Committee. See attached memo.)

V. Reports.

1. September Finance Report - Sherry Smith
2. Community and Economic Development Report - Michelle Knight
3. Director's Report - Chris Bickley

VI. Presentation to Retiring Board Members.

(This is the last COG Board meeting for Starletta Hairston and Margaret Griffin, and they will be recognized for their service.)

VII. Council Time.

VIII. Adjourn.

Serving Beaufort • Colleton • Hampton • Jasper Counties



December 14, 2006

Mr. Keith Melvin
Director of Outdoor Advertising
SC Department of Transportation
PO Box 191
Columbia, SC 29202-0191

Dear Mr. Melvin:

At their December 14, 2006 meeting, the Central Midlands Council of Governments Board of Directors voted to endorse the "Two for One" Advertising Sign Upgrade Pilot Project, subject to applicable local zoning requirements. Thank you again for your informative presentation, and best of luck with this innovative program.

Sincerely,

A handwritten signature in dark ink, appearing to read "Norman Whitaker", is written over a horizontal line.

Norman Whitaker,
Executive Director



Providing Quality Services To Local Governments Since 1965.

December 12, 2006

Keith C. Melvin, CPM
Director of Outdoor Advertising
South Carolina Department of Transportation
PO Box 191
Columbia, SC 29202-0191

Dear Mr. Melvin:

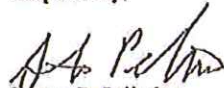
On behalf of the Appalachian Council of Governments Board of Directors, I would like to thank you for your presentation at our October 27, 2006 Board Meeting on the South Carolina Department of Transportation's Two For One Non-Conforming Sign Upgrade Pilot Project.

Our Board members found your presentation to be extremely interesting, and support for the innovative approach you are proposing to reduce sign clutter is strong. Even though the Pilot Project targets just Interstate Highways 26 and 95, the opportunity for non-conforming signs to be brought down anywhere in the state enhanced our Board members enthusiasm for the effort.

As you will recall, following your presentation the ACOG Board of Directors voted unanimously to endorse the Two For One Non-Conforming Sign Upgrade Pilot Project. I have enclosed the minutes from the October Board meeting, which provide a record of the Board's action in support of your proposal.

We wish you success as you move forward with this effort. If we may be of further assistance, please do not hesitate to let us know.

Respectfully,


Steven R. Pelissier
Executive Director

Encl.

PO Box 6668, Greenville, SC 29606
864.242.9733, Fax 864.242.6957, www.scacog.org

MINUTES

FULL BOARD MEETING COUNCIL OF GOVERNMENTS CONFERENCE ROOM OCTOBER 27, 2006

MEMBERS PRESENT: Philip Cheney, Judy Gilstrap, Fred Tolly, Dennis Claramunt, James Batchler, J. W. Sanders, Henry Jolly, Butch Kirven, Bob Gaillard, Lamar Bailes, Chris Christopherson, Craig Brandon, Neil Smith, Gloria Butler, Lib Fleming, Frank Nutt, Lanny Littlejohn, and Renee Cariveau.

GUESTS PRESENT: John Rosental, Dixon Hughes, CPA's; Keith Melvin, S. C. Department of Transportation; and Ralph Haggard, Cherokee County.

STAFF PRESENT: Steve Pelissier, Michael Stogner, Becky Hall, Carol Andersen, Dave Mueller, Joe Newton, Chip Bentley, and Debbie Courson.

The meeting was called to order by Vice-Chairman Cheney. The Invocation was offered by Rev. Sanders. On motion by Mayor Christopherson, seconded by Ms. Butler, the minutes of the September 24, 2006, meeting were unanimously approved.

Fiscal Year 2006 Audit Presentation

Mr. Rosental with Dixon Hughes, CPA's briefly reviewed the FY 2006 audit of the Council of Governments. He stated that the audit of the financial statements received a clean opinion with no issues to report. On motion by Mr. Smith, seconded by Ms. Cariveau, the Fiscal Year 2006 audit was unanimously approved.

S.C. Department of Transportation Outdoor Advertising Nonconforming Sign Upgrade Pilot Project

Mr. Melvin, the director of outdoor advertising with SC Department of Transportation, provided an overview of the nonconforming sign upgrade pilot project. He stated that

Minutes
Page Two

the effort is to reduce the number of nonconforming signs on South Carolina roadways. The pilot project is for Interstate highways I-26 and I-95. The project consists of DOT allowing sign owners the opportunity to upgrade one nonconforming sign on either of these interstates in exchange for the removal and cancellation of two permitted nonconforming signs. Mr. Melvin commented that the benefits of this project are to protect public investment and preserve natural beauty, facilitate partnerships, and reduce the number of nonconforming signs. Mr. Melvin noted that while the replacement of nonconforming signs would be eligible along I-26 and I-95, the signs to be brought down in order to facilitate replacement could be located anywhere in the state. As a result, the program could provide benefit to communities across the region. Mr. Melvin then requested from the Board a resolution endorsing this pilot project. On motion by Mr. Jolly, seconded by Mr. Kirven, the Board voted unanimously to endorse this pilot project.

Aging Program Update

Mr. Stogner stated that the next enrollment period for Medicare Part D begins November 15th. Next, he stated that the General Assembly awarded \$2.9 million state supplemental funds to address waiting list needs of seniors in South Carolina. The Appalachian region's share of those funds is \$438,681. Mr. Stogner stated that the Regional Aging Advisory Committee deliberated the spending plan for these funds, based on waiting list information submitted from aging service contractors. On motion by Mr. Brandon, seconded by Mr. Bailes, the Board voted unanimously to approve the draft spending plan.

Mr. Stogner stated that the Area Agency has also received a supplemental Older Americans Act allocation of \$22,908 in federal pass-through funds. The Aging Advisory Committee is recommending the allocation be divided between the six-county region based on a population formula. On motion by Mr. Smith, seconded by Ms. Fleming, the Board unanimously approved the allocation of these funds.

Update on Regional Transportation and Transit Activities

Mr. Benjoly stated that the South Carolina Department of Transportation (SCDOT), in partnership with Councils of Governments (COGs), is beginning the development of a Regional Transit Coordination Plan for the Non-Metropolitan Planning Organization areas of the State. The aim of the plan is to enhance coordination with multiple Federal, State and local programs that fund human services transportation activities. This initiative is part of new federal requirements identified in the recent Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) that makes development of the plan a pre-requisite for receiving federal funding. At a minimum, projects funded under the Federal Transit Administration formula programs for Sections 5310, 5316 and 5317 must be derived from a coordinated plan. The coordinated plans

Minutes
Page Three

will incorporate activities offered under other programs sponsored by Federal, State and local agencies.

The goal of the FTA Initiative is to improve coordination between Human Service Transit Providers. Transit providers who receive federal grant funds must participate in a transportation coordination planning process and develop plans to achieve the objectives of reducing duplication, increasing service efficiency and expanding access for the transportation disadvantaged.

The requirement targets three federal programs that provide formula funding for states and communities and are targeted to enhance transportation services for specific populations that depend on alternative transportation options for their day-to-day mobility. These are the Elderly Individuals and Individuals with Disabilities (5310) funded programs, JARC (5316), and New Freedom (5317) programs.

The initiative is intended to more comprehensively address the needs of the populations served by various federal programs such as older individuals, persons with disabilities, persons with low-income, children and other disadvantaged populations.

SCDOT will be working with COGs across South Carolina to develop these regional coordination plans over the next year and will involve interested stakeholders throughout the process. The kick-off meeting was a forum for local agencies and stakeholders to discuss their relevant needs as service providers. Development and content of coordinated plans will be specific to the needs and issues of the region. The coordinated plans will be developed to address intra- and inter-regional needs and issues. Future meetings will be scheduled for stakeholder input at different stages of plan development.

There being no further business, the meeting adjourned at 12:00 noon.


Chairman

THE SOUTH CAROLINA APPALACHIAN COUNCIL OF GOVERNMENTS HAS
COMPLIED WITH THE FREEDOM OF INFORMATION ACT IN SCHEDULING
AND CONDUCTING THIS MEETING.

The Garden Club of South Carolina, Inc.

Pat (Pat) Abercrombie, President
92 Hill and Dale Drive
Greenwood, South Carolina 29646



Theme - "Power of One"
For Our World Tomorrow Begins Today"
2003-2005

April 22, 2005

Mr. Keith C. Melvin
Director of Outdoor Advertising
SC Department of Transportation
P. O. Box 191
Columbia, South Carolina 29202-0191

Dear Mr. Melvin:

The Board of Directors of The Garden Club of South Carolina, Inc. voted at their last board meeting to support the SC Department of Transportation with the Nonconforming Sign Upgrade (Pilot) Project.

As garden clubs we are about the business of beautification and with the support of the outdoor advertising industry and the SC Chapter of the Sierra Club we feel this will be a most worthwhile and successful project in helping to beautify our South Carolina roadsides.

We commend you and SCDOT in your efforts to improve the appearance of our roadways.

Sincerely,

Pat Abercrombie, President
Garden Club of South Carolina

Betsy Harvey = (803) 259-3207 (home)
AGENDA GCSC BOARD OF DIRECTORS' MEETING

January 27, 2005

Headquarters Riverbanks, Columbia

10:00 A.M.

CALL TO ORDER & WELCOME

INVOCATION

PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG

PLEDGE OF ALLEGIANCE TO THE GCSC FLAG

Pat Abercrombie, President

Betty Boulineau, Chaplain

Sarah Ann Parler, First V. President

Marsha Alexander, Second V. Pres.

I pledge allegiance to the flag of The Garden Club of South Carolina, Inc. for the love of gardening for which it stands, for the promotion and protection of our environmental concerns, and for achievement in beautification and conservation in all phases of garden club service.

QUORUM

APPOINTMENT OF COMMITTEE TO APPROVE THE MINUTES

Chairman Pat Troutman, East Piedmont District Director

Louise Hull, Corr. Secretary

Ann Payne, Chairman Gardening Study Schools, Historic Preservation

APPOINTMENT OF COMMITTEE TO SERVE AS TELLERS

Brenda Sullivan, Co-Chairman Youth

Betsy Harvey, Chairman Legislation

RECOGNITIONS, INTRODUCTIONS

GCSC Former Presidents, NGC & SAR Board of Directors,
Those seated at the Head Table & Special Guests

REPORT OF COMMITTEE TO APPROVE THE MINUTES - Chairman Marsha Alexander, 2nd Vice President

SPECIAL APPEARANCE

Kelth Melvin, SCDOT Dir. Outdoor Advertising

REMARKS BY THE PRESIDENT

Reminders: Club & Council Presidents' Reports due Feb. 1 to District Director & President
District Meetings in March
SAR Convention & State Flower Show, March 13 - 15 in Charleston
Youth Symposium, April 2 at Riverbanks, Columbia
GCSC Convention, April 21 - 23 in Clemson

Cares & Concerns: Members & family - Bobbi Heenan had heart cath & 3 stints - Shirley Lawhon heart cath. - Helen Goforth's son Michael having tests - Sara Dowers husband - Sarah Ann Parler's daughter Ann Elizabeth good report from her check up the last of Dec. - Gary Garner treatments - Nancy Wood tests. Surgery - Patsy Epperson, hand - Pat Troutman, cataract - Pat Abercrombie, D&C, Cervical Bx. good, rep. Members that have lost loved ones: Susan Darden, daughter-in-law Lori miscarriage - Vio Sandifer, lost daughter-in-law - Nancy Odom, sister Kathy - Shirley Lawhon, sister-in-law - Carolyn Bean, brother Harold - Clara Elmore, sister - Sammy Martin, aunt. Please continue to remember these with prayers and cards.

REPORTS

Officers & District Directors
Standing & Special Committee Chairmen

SPECIAL ORDER

NGC & SAR Convention Delegates
Policy & Procedure, Sarah Ann Parler, Chairman
Bylaws, Sarah Ann Parler, Chairman
Nominating Committee, Babs Barnette, Chairman

NEW BUSINESS

SCDOT Recommendation, Patsy Epperson, Chairman Roadside Beautification
Executive Committee Recommendation

ANNOUNCEMENTS

BLESSING & BENEDICTION

ADJOURNMENT

Betty Boulineau, Chaplain
Pat Abercrombie, President



South Carolina Chapter

P. O. Box 2380

Columbia, SC 29202

803-256-8487 • Fax 803-256-8418

March 4, 2005

Keith C. Melvin
Director of Outdoor Advertising
SC Department of Transportation
P.O. Box 191
Columbia, SC 29202

Re: Nonconforming Sign Upgrade (Pilot) Project

Dear Mr. Melvin:

Thank you for bringing to our attention the draft Nonconforming Sign Upgrade Pilot Project. We also appreciate your initiative in seeking our opinion or endorsement.

After careful consideration of the draft description of the pilot project to reduce the number of nonconforming billboards in the State of South Carolina, we find that the proposal presented has the potential to reduce the number of nonconforming billboards on our most traveled highways, reduce visual pollution, and help restore the beauty of our state.

Therefore, we support and endorse the proposed Nonconforming Sign Upgrade Project as presently written.

While we support this proposal for the reasons stated above, it should not be construed that we support billboards on our Interstate Highway System generally. It should also be understood that we do not support legislation sponsored by the billboard industry to treat billboard removal by local governments as a private property "takings" issue.

Within the limits of this Department of Transportation proposal, the South Carolina Chapter of the Sierra Club endorses this pilot project.

Sincerely,

Dell Isham
SC Chapter Director
Sierra Club

3/4/05 3:03 PM



Project No. Pilot
Pin No.

CATEGORICAL EXCLUSION
TYPE B

April 18, 2006

Description: Outdoor Advertising Nonconforming Sign Upgrade (Pilot) Project

Road/Route No.: Interstate 26 and 95

County: Various

Proposed Action: The South Carolina Department of Transportation (SCDOT) in partnership with the Federal Highway Administration (FHWA) is proposing to implement a program to reduce the number of non-conforming outdoor advertising signs adjacent to Interstate 26 and 95 in South Carolina. The SCDOT will allow sign owners to upgrade one (1) non-conforming sign in exchange for the removal of two (two) non-conforming signs. Upgrade is defined as (1) changing wooded or I-beam support poles and replacing them with a monopole at the same location as the existing structure; and (2) changing the sign face to 822 square feet or less without the use of extensions or cutouts. Upgrade shall not include stacked units. Removal includes all material including the foundation. All material must be removed from the premises and disposed of in a certified landfill or equivalent facility. This upgrade and removal is hereinafter referred to as the "Pilot Project." Projects authorized under this Categorical Exclusion (CE) shall be in compliance with all conditions as outlined in the document entitled "Outdoor Advertising Nonconforming Sign Upgrade (Pilot) Project." Any deviations from this document will require coordination with the SCDOT in advance of project implementation.

To be processed as a Categorical Exclusion Type B (CEB) the following conditions must be met in addition to the General Criteria: The action does not involve:

*The acquisition of more than minor amounts of temporary or permanent strips of right-of-way and the acquisition will not require any residential or business displacements.

Use of Section 4(f) properties.

An adverse effect determination under Section 106 of the National Historic Preservation Act.

Individual Coast Guard Permits.

Individual Corps of Engineer Permits or a Corps Nationwide Permit 23

Impacts to planned growth or land use, or significant impacts on travel patterns.

Work encroaching in a regulatory floodway, adversely affecting the base floodplain or potentially adversely affecting a National Wild and Scenic River.

Changes in access control.

Any known or potential major hazardous waste sites within the right-of-way.

Date: April 18, 2006 Prepared By: J. M. [Signature]

*Right of way acquisition requires review of plans by staff archaeologist and/or biologist.

"BIT" #4



ENVIRONMENTAL MANAGEMENT OFFICE

PROCESSING FORM FOR CATEGORICAL EXCLUSIONS NON MAJOR FEDERAL ACTIONS

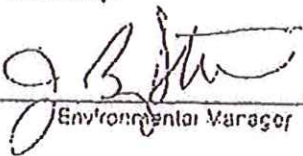
Date: 04/18/06 Project No.: _____ Road/Route: I-95/I-26

Project Description: Outdoor Advertising Nonconforming Sign Upgrade (Pilot) Project

County: Various Pin(s): _____

.....

The above-described project has been environmentally classified as a CE Type B (no individual environmental document required) based on information contained in the Draft CDA Pilot Project Report. It is understood that any additions/deletions to the project may void environmentally processing the project as presently classified; consequently, any scope changes must be brought to the attention of the Environmental Management Office immediately.



Environmental Manager

PPMS: _____

**UPGRADE OF CERTAIN NONCONFORMING SIGNS ALONG I-95 AND I-26
AND PERMANENT REMOVAL OF NONCONFORMING SIGNS STATEWIDE**

Orangeburg County

PUBLIC HEARING

Hearing:

Thursday, January 29, 2009, at 6:00 p.m. in the auditorium at Lake Marion High School located at 3656 Tee Vee Road, Santee, SC.

Purpose:

South Carolina Department of Transportation (SCDOT) has been given approval to move forward with presenting its pilot project to upgrade some non-conforming signs and remove others at a public hearing. SCDOT proposes to implement a pilot project with the approval of the Federal Highway Administration for the upgrade of certain nonconforming signs along two (2) major Interstate highways in South Carolina: I-95 and I-26. The Pilot involves a change in the sign appearance by upgrading the existing sign structure material. A pre-requisite to any upgrade is the removal of two (2) or more qualified, nonconforming signs at the expense of the sign owner. The nonconforming signs subject to this removal provision will be signs located on the National Highway System (NHS) routes, but shall meet certain size requirements to qualify for removal. Adjacent areas qualifying for removed nonconforming signs may also include routes which are designated as scenic byways, provided the byway is part of the federal aid primary system as of June 1, 1991. There are a number of expected effects of the Pilot to South Carolina: (1) the reduction of the overall number of nonconforming billboards statewide through the removal of two (2) or more qualified, pre-approved nonconforming signs at the sign owners expense; (2) uniformity in the appearance of the Interstates of I-95 and I-26 due to the size, height, and structure materials restrictions imposed by the Pilot; (3) reduction in requests for repair and routine maintenance by the sign companies; (4) cost benefit in inventory monitoring time and overhead in reviewing signs for repair and routine maintenance by SCDOT; (5) improve public safety by restricting height of signs and potential wind storm debris on highway right-of-way caused by wooden signs, and (6) cost benefit from possible reduction in just compensation costs for signs if impacted by a state highway project. SCDOT welcomes comments regarding the pilot program and invites all stakeholders and interested parties to attend the public hearing. The pilot is in reference to 23 CFR 750.707(d)(5) which pertains to maintenance and continuance of nonconforming signs.

Format:

From 6:00 – 6:15 p.m., the hearing format will be informal. Displays will be set up in the auditorium and project team members from the SCDOT will be available to discuss the pilot program with interested citizens on an individual basis.

At 6:15 p.m., the SCDOT will make a formal presentation. Immediately following the presentation, citizens will have the option to make formal, verbal comments regarding the proposed project. Anyone who desires to verbally comment must sign up between 6:00 p.m. and 6:15 p.m. as they enter the public hearing. Each comment will be limited to two minutes and may not be transferred.

Project Information:

Information concerning the pilot project may be obtained by contacting Keith Melvin at 803-737-1339 in Columbia or visit SCDOT Outdoor Advertising website at <http://www.scdot.org/doin/ODAS.shtml>. Persons with disabilities who may require special accommodations should contact Ms. Karen Davis at 803-737-1549.

**South Carolina Department of Transportation
and Federal Highway Administration**

**Issues / Concerns of Stakeholders
(As Noted in the Certification of Public Hearing)**

**SOUTH CAROLINA
DEPARTMENT OF TRANSPORTATION**

Columbia, South Carolina

**PROJECT: Upgrade of Certain Non-Conforming Signs along I-95 and I-26 AND Permanent
Removal of Non-Conforming Signs Statewide**

CERTIFICATE OF OUTDOOR ADVERTISING PILOT PROJECT PUBLIC HEARING

This is to certify that on Thursday, January 29 2009, between 6:00 p.m. and 8:00 p.m., a public hearing was held in the auditorium of Lake Marion High School located at 3656 Tee Vee Road, near the Town of Santee, Orangeburg County, South Carolina, as provided by 23 CFR 771.111(h). SCDOT proposes to implement a pilot project with the approval of the Federal Highway Administration for the upgrade of certain non-conforming signs along two (2) major interstate highways in South Carolina: I-95 and I-26. The pilot project is in reference to 23 CFR 750.707(d)(5) which pertains to maintenance and continuance of non-conforming signs.



Environmental Engineer

March 2, 2009

**Public Hearing for the Upgrade of Certain Non-Conforming Signs along I-95 and I-26
AND Permanent Removal of Non-Conforming Signs Statewide**


- Location:** The auditorium of Lake Marion High School, located at 3656 Tee Vee Road, Santee, South Carolina in Orangeburg County, was selected because of its proximity to the project area and its convenient location. The room provided space for displays and areas to accommodate written and verbal comments as well as handouts.
- Time:** The public hearing was held on Thursday, January 29, 2009, from 6:00 pm until 8:00 pm.
- PowerPoint Presentation:** A PowerPoint Presentation (see Appendix A) was presented at the hearing. The presentation included a project description; as well as an appeal to those in attendance to comment.
- Displays:** There were two boards on display to support the PowerPoint Presentation.
- Personnel:** Those actively participating in the Public Hearing from SCDOT included Keith Melvin from Outdoor Advertising, Barbara Wessinger from Legal and Lis Bleasdale and Randall Williamson from Environmental. In addition, Mel Cooper from FHWA also attended the meeting.
- Process:** The attendees were greeted, asked to sign in and the hearing format was briefly explained. After the PowerPoint Presentation, the attendees were then urged to comment and directed to the appropriate person to have their questions answered. Department personnel were easily identified by white nametags. The displays were constantly manned, and if any attendee appeared to have questions, personnel sought them out to discuss the project or direct them to someone who could answer their questions. As everyone left, they were asked if they had any additional questions or comments and were urged to comment. They were also thanked for attending.
- Attendance:** Approximately people were in attendance at the public hearing and of this number, 1 was a white female and two were black males. A copy of the sign-in sheet is included as Appendix B.
- Comments:** None of the attendees had comments recorded. No written comments were received at the hearing and 1 written mailed-in comment was received after the hearing. The mailed-in comment and the responses are attached as Appendix C.

APPENDIX A

**South Carolina
Nonconforming Sign
Upgrade/Removal (Pilot) Project**

**Public Hearing
Santee, South Carolina
January 29, 2009**

Billie L. Mims, CMV
Director of Traffic Management



South Carolina Department of Transportation
1000 North Main Street, Suite 100
Columbia, SC 29201
(803) 737-1000

**South Carolina
Nonconforming Sign
Upgrade/Removal (Pilot) Project**

The South Carolina Department of Transportation (SCDOT) in partnership with the Federal Highway Administration (FHWA) is set to reduce the number of nonconforming signs on the State of South Carolina while enhancing the beauty of our roadway.

Under current federal regulations,
reasonable repair and maintenance of a
nonconforming sign is permitted.

Specifically, 23 CFR §750.707(d)(5) provides:

Maintenance and continuance (of nonconforming signs).
The sign must remain substantially the same as it was on the effective date of the State law or regulation.
Reasonable repair and maintenance of the sign, including a change of advertising message, is not a change that would terminate nonconformity rights. Each State shall develop its own criteria to determine when customary maintenance costs and a substantial change has occurred which would terminate nonconformity rights.

Goal of the Project

Reduce the total number of nonconforming signs in the State of South Carolina while enhancing the beauty of our roadway.

SCDOT will allow signowners the opportunity to upgrade one (1) nonconforming sign on their 15 to 20 or 30 ft in exchange for the removal and destruction of two (2) or more parallel nonconforming signs.

Who Pays?

- Sign owner will be responsible for all costs associated with the design and removal of the nonconforming sign.
- No reimbursement of any type will be made by the SCDOT for the loss of a right-of-way sign (RWS) or any other direct or indirect losses and/or from the removal of the nonconforming sign or the upgraded nonconforming sign.
- SCDOT and FHWA will not pay any compensation to the landowner or sign owner as a result of the removal of any sign in this project.
- Any compensation to the landowner(s) is considered the removal of the sign due to the responsibility of the sign owner.
- The removal of nonconforming signs is performed voluntarily by the sign owner.

How Long?

The PSM will have a term of three (3) years and the PSM criteria and enforcement will be subject to BPA review for the three (3) year duration.

Upgrade defined as:

- Replace wood or metal support poles with a steel monopole at the same location of the sign to be upgraded and
- In some cases, replacing old signs (backage of the face of the sign) to be upgraded to no more than 0.75 square feet.

Sign Status

The sign shall conform to the current regulations until such time as the sign meets the provisions of State law and State regulation.

Characteristics of Removed Sign

- 1) All signs must be located on a National Highway System (NHS) route.
- 2) Removal of two (2) or more qualified nonconforming signs at the expense of the sign owner.
- 3) After written approval is granted, sign owner will remove their signs. Removal means the dismantling and complete removal from the view of the traveling public of parts and materials of a sign including its foundation.

How Will it Work?

- Upgrade locations limited to I-20 and I-35
- Application process
- Approval by SDOT is required prior to acceptance into the program
- \$200 fee for SDOT's participation fee / \$100.00 credit for during duration of pilot
- Sign owner must complete an agreement form (noted by the property owner of each removal sign (not noted))
- 75% right of way of each sign being upgraded and removed taken from the traveled way

How Will it Work?

- The value of the upgraded nonconforming sign shall be based on the value of the original nonconforming sign structure prior to being upgraded
- The value of this sign shall be documented and agreed to by the parties on *Pilot Project Upgrade Agreement Form* prior to the sign being approved for participation in the trial
- A completed copy of the *Pilot Project Upgrade Agreement Form* shall be kept on file with the SDOT Outdoor Advertising and Right of Way Office

How Will it Work?

- Upgrade construction is limited to:
 1. Single face
 2. Single face back-to-back
 3. Single face V type sign
- LED in vision stacked and side-by-side signs are prohibited
- Upgraded nonconforming signs may not exceed a height of three (3) feet above the centerline of the road to the lowest edge of the sign face.

How Will it Work?

- Nonconforming signs on Interstate highway that are nonconforming due to spacing are excluded from participation in this Pilot and cannot be upgraded unless the spacing requirement is corrected.
- Nonconforming signs located in ramp areas are excluded from participation in the Pilot.

How Will it Work?

- Adding a electronic message board or variable message sign to an upgrade to a nonconforming sign is prohibited.
- The minimum size of the nonconforming signs eligible for removal or eligible to be upgraded is 350 square feet. Maximum size of upgraded nonconforming sign is 672 square feet.

How Will it Work?

- Existing configuration will remain the same on upgraded nonconforming advertising signs. No lights for any direction of an upgraded nonconforming advertising sign may be added, i.e., upgraded nonconforming advertising may not be lit unless the original direction was previously lit.
- The signowner, in the *Upgrade Agreement*, agrees to hold SCDOT and the State of South Carolina harmless from all causes of action, direct or indirect, resulting from the voluntary removal of the nonconforming sign or the upgrade of a sign. Removal of all signs is voluntary and at the expense of the signowner. The signowner is responsible for any damages to the landowner associated with the removal of the nonconforming sign.

How Will it Work?

- The parties agree that just compensation value for the (1) value of the original nonconforming sign structure, (2) any beneficial interest in the sign on the real property where the sign is located, will be the fair market value as determined by an appraiser selected by the SCDOT's Approved Appraiser List.
- The just compensation value will be agreed to by the signowner and DOT and will be permanently recorded and shall be binding on any subsequent owner or owners of the upgraded nonconforming sign. Further participation in any future acquisition of this sign for any purpose will be limited to the established just compensation value of the sign.

How Will it Work?

(Statewide Stakeholders)

- Outdoor Advertising Industry
- Local Government
- Civic Organizations
- Citizens of South Carolina
- Motorist Public
- Public Hearing
- Land Owners

How Will it Work?

Within sixty (60) days after the end of the Pilot Term (3 years from the start date) SCDOT will submit to FHWA a written report on the benefits, harm, burdens, costs, and effects of the Pilot.

Potential Nonconforming Signs for Upgrade

1126
approximately 251

1125
approximately 316

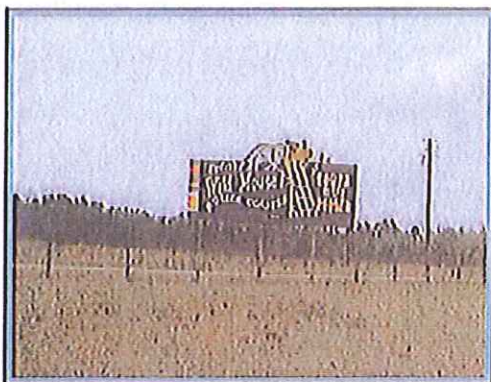
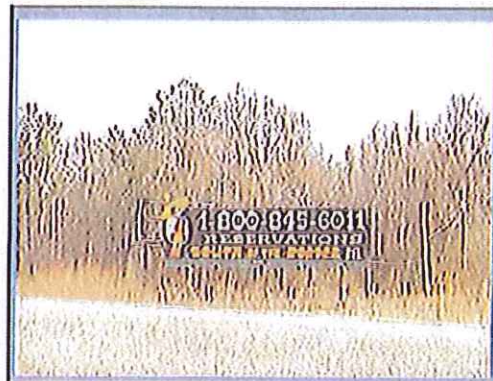
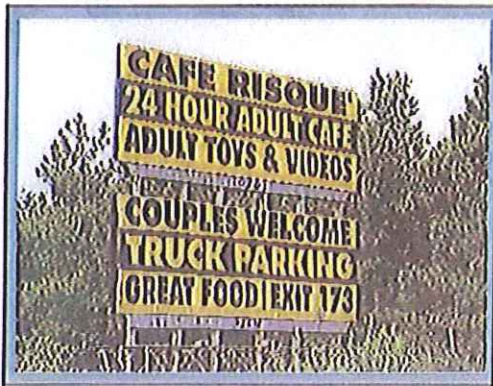
Counties

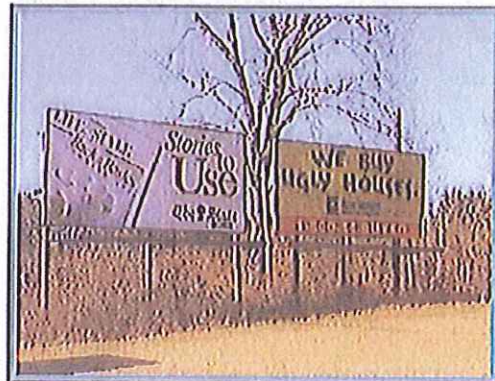
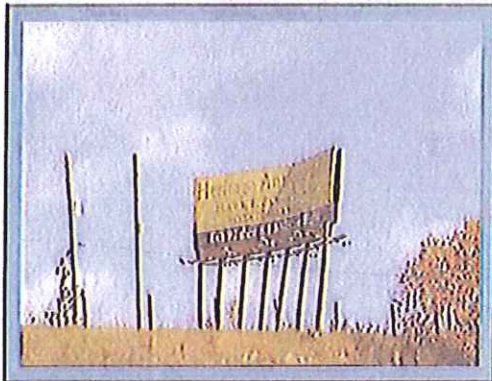
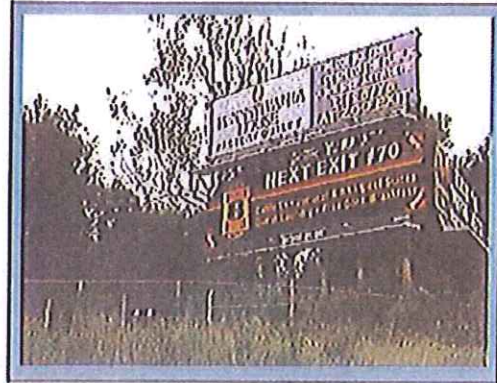
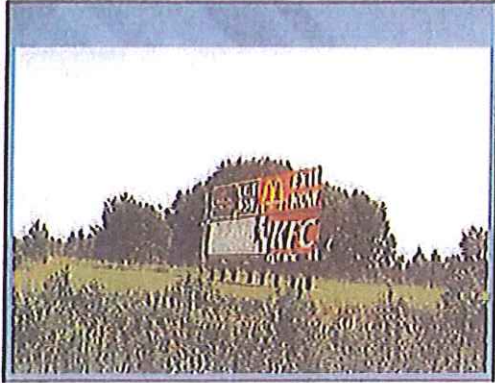
- Spencerburg - 20
- Heaven - 10
- Westbury - 0
- Lyonsburg - 13
- Richwood - 17
- Caldwell - 13
- Orangeburg - 27
- Danville - 7
- Chatham - 10
- Bethlehem - 5

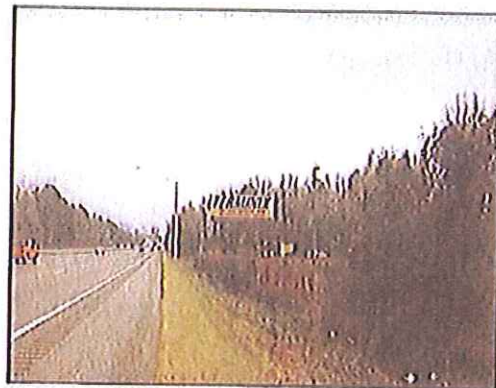
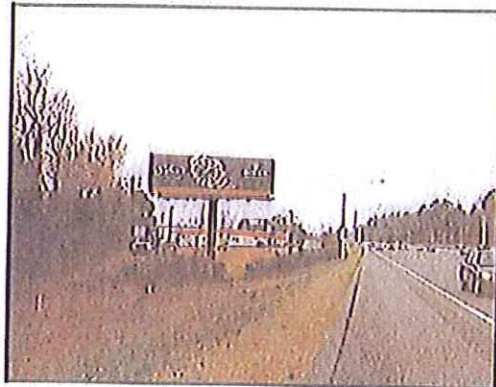
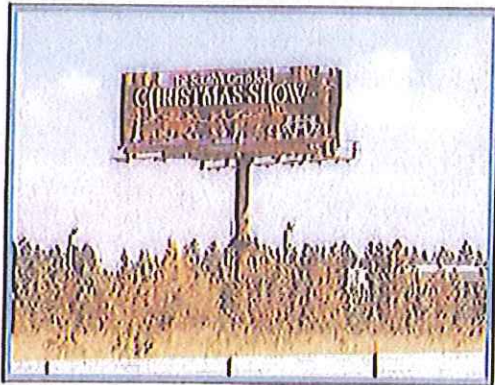
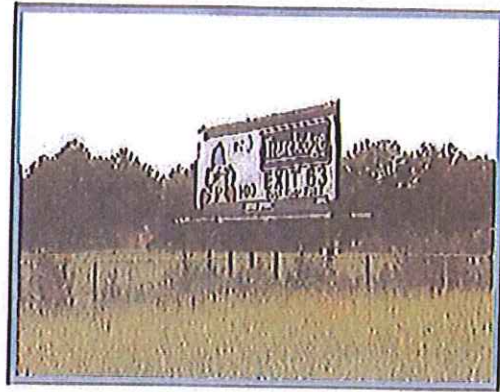
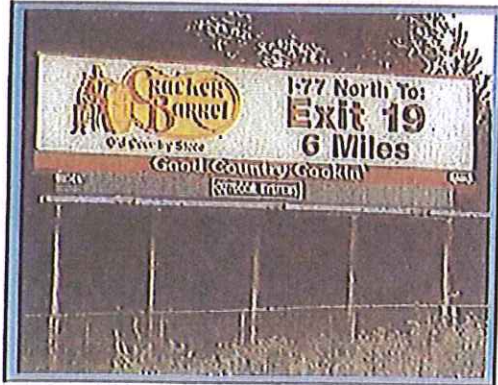
Counties

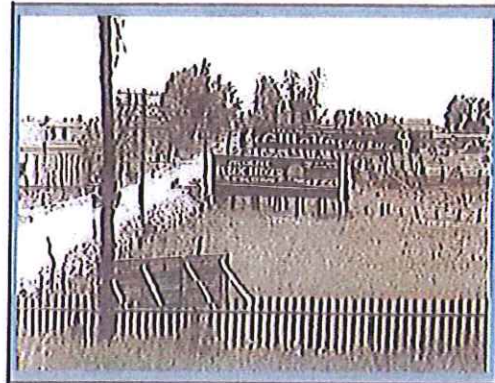
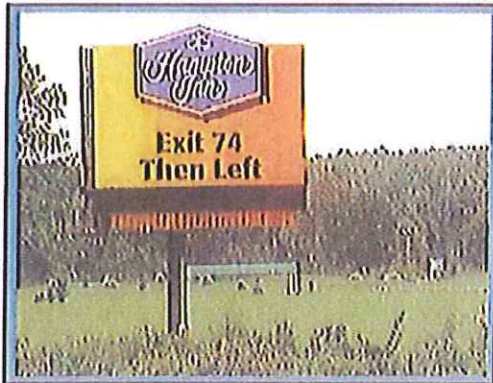
- Dillon - 101
- Hurricane - 111
- Stanton - 27
- Orangeburg - 101
- Orangeburg - 16
- Danville - 22
- Caldwell - 35
- Hampton - 34
- Wayne - 68











Project Benefits

1. Protect public investment and preserves natural beauty.
2. Facilitates partnership efforts with local government and scenic groups regarding appearance of State roadways.
3. Reduces the number of nonconforming signs.

**Thank you for your
time and consideration.**

Pilot Information may be obtained by contacting:

South Carolina Department of Transportation
Anne Rebert, M.P.A., CPA, Director
Guidance Advisory Office
935 Park Street, Room 115
Columbia, South Carolina 29201
(803) 737-1139

The full
report is available at

APPENDIX B

SCDOT PUBLIC HEARING
SIGN IN SHEET

Thursday January 29, 2009

OUTDOOR ADVERTISING PILOT PROJECT
ORANGEBURG COUNTY

NAME (please print)

ADDRESS (please print)

Jeff Noland

102 Grove Point Drive B. Spring SC

James Jamison

2812 Big Bear Blvd Brownsville

John M. Gilmour

960 Boniver Ave Santee, SC 29142

Andrew Gentry

401 Johnston St, St. George, SC 29444

Rene J. Johnson

306 Johnson St. St. George, SC 29477

Pete Weather

711 Sears St., St. George, SC 29477

Chlor Alabaud

121 Shepherd St. Santee SC 29142

APPENDIX C

SCDOT PUBLIC HEARING
COMMENT SHEET

Thursday January 29, 2009

OUTDOOR ADVERTISING PILOT PROJECT
ORANGEBURG COUNTY

NAME (Please choose one!)
☒ Mr ☐ Mrs ☐ Ms ☐ Mr & Mrs
Jeffrey Woland
ADDRESS 102 Grove Park Boiling Spring SC
Street/Route City State Zip Code
29316

COMMENTS

- * good summary presentation
- * participation by industry is key
- * agreements with City/County Councils & approval are critical for success
- * hopefully B-85 + B-77 can be added in the future

Mail Comments to:



Mr Keith Melvin
SC Department of Transportation
Post Office Box 191
Columbia, SC 29202

Written comments will be accepted until February 13, 2009



South Carolina
Department of Transportation

March 2, 2009

Jeffery Noland
102 Grove Park
Bolling Springs, SC 29316

Re: South Carolina Department of Transportation (SCDOT) Public Hearing
Comment Sheet

Dear Mr. Noland:

Thank you for taking time out of your busy schedule to attend SCDOT's Public Hearing regarding the Outdoor Advertising Nonconforming Sign Upgrade "Pilot" Project.

We appreciate your comments relating to participation of the industry and involvement of local city/council establishments.

The Pilot Project is expected to reduce the overall number of nonconforming billboards along our highways. The Pilot Project will also allow some jurisdictions, as well as billboard owners, the opportunity to address nonconforming billboards in sensitive areas.

If you have any additional questions, please feel free to contact me at (803) 737-1339.

Sincerely,

Keith C. Melvin, CPM
Director of Outdoor Advertising

KCM
Attachment
cc: Public Hearing File
File: ODA/KCM